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THE ARGUMENT.

Lucius Catiline, a man of noble extraction, and who had already been prætor, had been a competitor of Cicero's for the consulship; the next year he again offered himself for the office, practising such excessive and open bribery, that Cicero published a new law against it, with the additional penalty of ten years' exile; prohibiting likewise all shows of gladiators from being exhibited by a candidate within two years of the time of his suing for any magistracy, unless they were ordered by the will of a person deceased. Catiline, who knew this law to be aimed chiefly at him, formed a design to murder Cicero and some others of the chief men of the senate, on the day of election, which was fixed for the twentieth of October. But Cicero had information of his plans, and laid them before the senate, on which the election was deferred, that they might have time to deliberate on an affair of so much importance. The day following, when the senate met, he charged Catiline with having entertained this design, and Catiline's behaviour had been so violent, that the senate passed the decree to which they had occasionally recourse in times of imminent danger from treason or sedition, "Let the consuls take care that the republic suffers no harm." This decree invested the consuls with absolute power, and suspended all the ordinary forms of law, till the danger was over. On this Cicero doubled his guards, introduced some additional troops into the city, and when the elections came on, he wore a breastplate under his robe for his protection; by which precaution he prevented Catiline from executing his design of murdering him and his competitors for the consulship, of whom Decius Junius Silanus and Lucius Licinius Murena were elected.

Catiline was rendered desperate by this his second defeat, and resolved without further delay to attempt the execution of all his schemes. His greatest hopes lay in Sylla's veteran soldiers, whose cause he had always espoused. They were scattered about in the different districts and colonies of Italy; but he had actually enlisted a consider-

able body of them in Etruria, and formed them into a little army under the command of Manlius, a centurion of considerable military experience, who was only waiting for his orders. He was joined in his conspiracy by several senators of profligate lives and desperate fortunes, of whom the chiefs were Publius Cornelius Lentulus, Caius Cethegus, Publius Antronius, Lucius Cassius Longinus, Marcus Porcius Lecca, Publius Sylla, Servilius Sylla, Quintus Curius, Lucius Vargunteius, Quintus Annius, and Lucius Bestia. These men resolved that a general insurrection should be raised throughout all Italy; that Catiline should put himself at the head of the troops in Etruria; that Rome should be set on fire in many places at once; and that a general massacre should be made of all the senate, and of all their enemies, of whom none were to be spared but the sons of Pompey, who were to be kept as hostages, and as a check upon their father, who was in command in the east. Lentulus was to be president of their councils, Cassius was to manage the firing of the city, and Cethegus the massacre. But, as the vigilance of Cicero was the greatest obstacle to their success, Catiline desired to see him slain before he left Rome; and two knights, parties to the conspiracy, undertook to visit him early on pretence of business, and to kill him in his bed. The name of one of them was Caius Cornelius.

Cicero, however, had information of all the designs of the conspirators, as by the intrigues of a woman called Fulvia, the mistress of Curius, he had gained him over, and received regularly from him an account of all their operations. He sent for some of the chief men of the city, and informed them of the plot against himself, and even of the names of the knights who were to come to his house, and of the hour at which they were to come. When they did come they found the house carefully guarded, and all admission refused to them. He was enabled also to disappoint an attempt made by Catiline to seize on the town of Præneste, which was a very strong fortress, and would have been of great use to him. The meeting of the conspirators had taken place on the evening of the sixth of November. On the eighth Cicero summoned the senate to meet in the temple of Jupiter in the Capitol, a place which was only used for this purpose on occasions of great danger. (There had been previously several debates on the subject of Catiline's treasons and design of murdering Cicero, and a public reward had actually been offered to the first discoverer of the plot. But Catiline had nevertheless continued to dissemble; had offered to give security for his behaviour, and to deliver himself to the custody of any one whom the senate chose to name, even to that of Cicero himself.) Catiline had the boldness to attend this meeting, and all the senate, even his own most particular acquaintance, were so astonished at his impudence that none of them would salute him: the consular senators quitted that part of the house in which he sat, and left the bench empty; and Cicero himself was so provoked at his audacity, that, instead of entering on any formal business, he addressed himself directly to Catiline in the following invective.

I. WHEN, O Catiline, do you mean to cease abusing our patience? How long is that madness of yours still to mock us? When is there to be an end of that unbridled audacity of

yours, swaggering about as it does now? Do not the nightly guards placed on the Palatine Hill—do not the watches posted throughout the city—does not the alarm of the people, and the union of all good men—does not the precaution taken of assembling the senate in this most defensible place—do not the looks and countenances of this venerable body here present, have any effect upon you? Do you not feel that your plans are detected? Do you not see that your conspiracy is already arrested and rendered powerless by the knowledge which every one here possesses of it? What is there that you did last night, what the night before—where is it that you were—who was there that you summoned to meet you—what design was there which was adopted by you, with which you think that any one of us is unacquainted?

Shame on the age and on its principles! The senate is aware of these things; the consul sees them; and yet this man lives. Lives! ay, he comes even into the senate. He takes a part in the public deliberations: he is watching and marking down and checking off for slaughter every individual among us. And we, gallant men that we are, think that we are doing our duty to the republic if we keep out of the way of his frenzied attacks.

You ought, O Catiline, long ago to have been led to execution by command of the consul. That destruction which you have been long plotting against us ought to have already fallen on your own head.

What? Did not that most illustrious man, Publius Scipio, the Pontifex Maximus, in his capacity of a private citizen, put to death Tiberius Gracchus, though but slightly undermining the constitution? And shall we, who are the consuls, tolerate Catiline, openly desirous to destroy the whole world with fire and slaughter? For I pass over older instances, such as how Caius Servilius Ahala with his own hand slew Spurius Mælius when plotting a revolution in the state. There was—there was once such virtue in this republic, that brave men would repress mischievous citizens with severer chastisement than the most bitter enemy. For we have a resolution² of

¹ This was Scipio Nasica, who called on the consul Mucius Scaevola to do his duty and save the republic; but as he refused to put any one to death without a trial, Scipio called on all the citizens to follow him, and stormed the Capitol, which Gracchus had occupied with his party, and slew many of the partisans of Gracchus, and Gracchus himself.

² This resolution was couched in the form "*Videant Consules nequid*

the senate, a formidable and authoritative decree against you, O Catiline ; the wisdom of the republic is not at fault, nor the dignity of this senatorial body. We, we alone,—I say it openly, —we, the consuls, are wanting in our duty.

II. The senate once passed a decree that Lucius Opimius, the consul, should take care that the republic suffered no injury. Not one night elapsed. There was put to death, on some mere suspicion of disaffection, Caius Gracchus, a man whose family had borne the most unblemished reputation for many generations. There was slain Marcus Fulvius, a man of consular rank, and all his children. By a like decree of the senate the safety of the republic was entrusted to Caius Marius¹ and Lucius Valerius, the consuls. Did not the vengeance of the republic, did not execution overtake Lucius Saturninus, a tribune of the people, and Caius Servilius, the prætor, without the delay of one single day ? But we, for these twenty days, have been allowing the edge of the senate's authority to grow blunt, as it were. For we are in possession of a similar decree of the senate, but we keep it locked up in its parchment—buried, I may say, in the sheath ; and according to this decree you ought, O Catiline, to be put to death this instant. You live,—and you live, not to lay aside, but to persist in your audacity.

I wish, O conscript fathers, to be merciful ; I wish not to appear negligent amid such danger to the state ; but I do now accuse myself of remissness and culpable inactivity. A camp is pitched in Italy, at the entrance of Etruria, in hostility to the republic ; the number of the enemy increases every day ; and yet the general of that camp, the leader of those enemies, we see within the walls—ay, and even in the senate, —planning every day some internal injury to the republic. If, O Catiline, I should now order you to be arrested, to be put to death, I should, I suppose, have to fear lest all good men should say that I had acted tardily, rather than that any one should affirm that I acted cruelly. But yet this, which ought to have been done long since, I have good reason for not doing as yet ; I will put you to death, then, when there shall be not *republica detrimenti capiat* ;" and it exempted the consuls from all obligation to attend to the ordinary forms of law, and invested them with absolute power over the lives of all the citizens who were intriguing against the republic.

¹ This is the same incident that is the subject of the preceding oration in defence of Rabirius.

one person possible to be found so wicked, so abandoned, as like yourself, as not to allow that it has been rightly done. As long as one person exists who can dare to defend you, you shall live; but you shall live as you do now, surrounded by my many and trusty guards, so that you shall not be able to stir one finger against the republic: many eyes and ears shall still observe and watch you, as they have hitherto done, though you shall not perceive them.

III. For what is there, O Catiline, that you can still expect, if night is not able to veil your nefarious meetings in darkness, and if private houses cannot conceal the voice of your conspiracy within their walls;—if everything is seen and displayed? Change your mind: trust me: forget the slaughter and conflagration you are meditating. You are hemmed in on all sides; all your plans are clearer than the day to us; let me remind you of them. Do you recollect that on the 21st of October I said in the senate, that on a certain day, which was to be the 27th of October, C. Manlius, the satellite and servant of your audacity, would be in arms? Was I mistaken, Catiline, not only in so important, so atrocious, so incredible a fact, but, what is much more remarkable, in the very day? I said also in the senate that you had fixed the massacre of the nobles for the 28th of October, when many chief men of the senate had left Rome, not so much for the sake of saving themselves as of checking your designs. Can you deny that on that very day you were so hemmed in by my guards and my vigilance, that you were unable to stir one finger against the republic; when you said that you would be content with the flight of the rest, and the slaughter of us who remained? What? when you made sure that you would be able to seize Præneste on the first of November by a nocturnal attack, did you not find that that colony was fortified by my order, by my garrison, by my watchfulness and care? You do nothing, you plan nothing, you think of nothing which I not only do not hear, but which I do not see and know every particular of.

IV. Listen while I speak of the night before. You shall now see that I watch far more actively for the safety than you do for the destruction of the republic. I say that you came the night before (I will say nothing obscurely) into the Scythedalers' street, to the house of Marcus Lecca; that many of your accomplices in the same insatiate and wicked-

ness came there too. Do you dare to deny it? Why are you silent? I will prove it if you do deny it; for I see here in the senate some men who were there with you.

O ye immortal Gods, where on earth are we? in what city are we living? what constitution is ours? There are here,—hem in our body; O conscript fathers, in this the most holy and dignified assembly of the whole world, men who meditate my death, and the death of all of us, and the destruction of this city, and of the whole world. I, the consul, see them; I ask them their opinion about the republic, and I do not yet attack, even by words, those who ought to be put to death by the sword. You were, then, O Catiline, at Lecca's that night; you divided Italy into sections; you settled where every one was to go; you fixed whom you were to leave at Rome, whom you were to take with you; you portioned out the divisions of the city for conflagration; you undertook that you yourself would at once leave the city, and said that there was then only this to delay you, that I was still alive. Two Roman knights were found to deliver you from this anxiety, and to promise that very night, before daybreak, to slay me in my bed. All this I knew almost before your meeting had broken up. I strengthened and fortified my house with a stronger guard; I refused admittance, when they came, to those whom you sent in the morning to salute me, and of whom I had foretold to many eminent men that they would come to me at that time.

V. As, then, this is the case, O Catiline, continue as you have begun. Leave the city at last: the gates are open; depart. That Manlian camp of yours has been waiting too long for you as its general. And lead forth with you all your friends, or at least as many as you can; purge the city of your presence; you will deliver me from a great fear, when there is a wall between me and you. Among us you can dwell no longer—I will not bear it, I will not permit it, I will not tolerate it. Great thanks are due to the immortal gods, and to this very Jupiter Stator, in whose temple we are, the most ancient protector of this city, that we have already so often escaped so foul, so horrible, and so deadly an enemy to the republic. But the safety of the commonwealth must not be too often allowed to be risked on one man. As long as you, O Catiline, plotted against me while I was the consul elect, I defended myself not with a public guard, but by my

own private diligence. When, in the next consular comitia, you wished to slay me when I was actually consul, and your competitors also, in the Campus Martius, I checked your nefarious attempt by the assistance and resources of my own friends, without exciting any disturbance publicly. In short, as often as you attacked me, I by myself opposed you, and that, too, though I saw that my ruin was connected with great disaster to the republic. But now you are openly attacking the entire republic.

You are summoning to destruction and devastation the temples of the immortal gods, the houses of the city, the lives of all the citizens; in short, all Italy. Wherefore, since I do not yet venture to do that which is the best thing, and which belongs to my office and to the discipline of our ancestors, I will do that which is more merciful if we regard its rigour, and more expedient for the state. For if I order you to be put to death, the rest of the conspirators will still remain in the republic; if, as I have long been exhorting you, you depart, your companions, those worthless dregs of the republic, will be drawn off from the city too. What is the matter, Catiline? Do you hesitate to do that when I order you which you were already doing of your own accord? The consul orders an enemy to depart from the city. Do you ask me, Are you to go into banishment? I do not order it; but, if you consult me, I advise it.

VI. For what is there, O Catiline, that can now afford you any pleasure in this city? for there is no one in it, except that band of profligate conspirators of yours, who does not fear you,—no one who does not hate you. What brand of domestic baseness is not stamped upon your life? What disgraceful circumstance is wanting to your infamy in your private affairs? From what licentiousness have your eyes, from what atrocity have your hands, from what iniquity has your whole body ever abstained? Is there one youth, when you have once entangled him in the temptations of your corruption, to whom you have not held out a sword for audacious crime, or a torch for licentious wickedness?

What? when lately by the death of your former wife you had made your house empty and ready for a new bridal, did you not even add another incredible wickedness to this wickedness? But I pass that over, and willingly allow it to be buried in silence, that so horrible a crime may not be soon to have

existed in this city, and not to have been chastised. I pass over the ruin of your fortune, which you know is hanging over you against the ides of the very next month; I come to those things which relate not to the infamy of your private vices, not to your domestic difficulties and baseness, but to the welfare of the republic and to the lives and safety of us all.

Can the light of this life, O Catiline, can the breath of this atmosphere be pleasant to you, when you know that there is not one man of those here present who is ignorant that you, on the last day of the year, when Lepidus and Tullus were consuls, stood in the assembly armed; that you had prepared your hand for the slaughter of the consuls and chief men of the state, and that no reason or fear of yours hindered your crime and madness, but the fortune of the republic? And I say no more of these things, for they are not unknown to every one. How often have you endeavoured to slay me, both as consul elect and as actual consul? how many shots of yours, so aimed that they seemed impossible to be escaped, have I avoided by some slight stooping aside, and some dodging, as it were, of my body? You attempt nothing, you execute nothing, you devise nothing that can be kept hid from me at the proper time, and yet you do not cease to attempt and to contrive. How often already has that dagger of yours been wrested from your hands? how often has it slipped through them by some chance, and dropped down? and yet you cannot any longer do without it; and to what sacred mysteries it is consecrated and devoted by you I know not, that you think it necessary to plunge it in the body of the consul.

VII. But now, what is that life of yours that you are leading? For I will speak to you not so as to seem influenced by the hatred I ought to feel, but by pity, nothing of which is due to you. You came a little while ago into the senate: in so numerous an assembly, who of so many friends and connexions of yours saluted you? If this in the memory of man never happened to any one else, are you waiting for insults by word of mouth, when you are overwhelmed by the most irresistible condemnation of silence? Is it nothing that at your arrival all those seats were vacated? that all the men of consular rank, who had often been marked out by you for slaughter, the very moment you sat down, left that part of the benches bare and vacant? With what feelings do you think you ought to bear this? On my honour, if my slaves

feared me as all your fellow-citizens fear you, I should think I must leave my house. Do not you think you should leave the city? If I saw that I was even undeservedly so suspected and hated by my fellow-citizens, I would rather flee from their sight than be gazed at by the hostile eyes of every one. And do you, who, from the consciousness of your wickedness, know that the hatred of all men is just and has been long due to you, hesitate to avoid the sight and presence of those men whose minds and senses you offend? If your parents feared and hated you, and if you could by no means pacify them, you would, I think, depart somewhere out of their sight. Now, your country, which is the common parent of all of us, hates and fears you, and has no other opinion of you, than that you are meditating parricide in her case; and will you neither feel awe of her authority, nor deference for her judgment, nor fear of her power?

And she, O Catiline, thus pleads with you, and after a manner silently speaks to you:—There has now for many years been no crime committed but by you; no atrocity has taken place without you; you alone unpunished and unquestioned have murdered the citizens, have harassed and plundered the allies; you alone have had power not only to neglect all laws and investigations, but to overthrow and break through them. Your former actions, though they ought not to have been borne, yet I did bear as well as I could; but now that I should be wholly occupied with fear of you alone, that at every sound I should dread Catiline, that no design should seem possible to be entertained against me which does not proceed from your wickedness, this is no longer endurable. Depart, then, and deliver me from this fear; that, if it be a just one, I may not be destroyed; if an imaginary one, that at least I may at last cease to fear.

VIII. If, as I have said, your country were thus to address you, ought she not to obtain her request, even if she were not able to enforce it? What shall I say of your having given yourself into custody? what of your having said, for the sake of avoiding suspicion, that you were willing to dwell in the house of Marcus Lepidus? And when you were not received by him, you dared even to come to me, and begged me to keep you in my house; and when you had received answer from me that I could not possibly be safe in the same house with you, when I considered myself in great danger as long

as we were in the same city, you came to Quintus Metellus, the prætor, and being rejected by him, you passed on to your associate, that most excellent man, Marcus Marcellus, who would be, I suppose you thought, most diligent in guarding you, most sagacious in suspecting you, and most bold in punishing you; but how far can we think that man ought to be from bonds and imprisonment who has already judged himself deserving of being given into custody?

Since, then, this is the case, do you hesitate, O Catiline, if you cannot remain here with tranquillity, to depart to some distant land, and to trust your life, saved from just and deserved punishment, to flight and solitude? Make a motion, say you, to the senate, (for that is what you demand,) and if this body votes that you ought to go into banishment, you say that you will obey. I will not make such a motion, it is contrary to my principles, and yet I will let you see what these men think of you. Be gone from the city, O Catiline, deliver the republic from fear; depart into banishment, if that is the word you are waiting for. What now, O Catiline? Do you not perceive, do you not see the silence of these men; they permit it, they say nothing; why wait you for the authority of their words when you see their wishes in their silence?

But had I said the same to this excellent young man, Publius Sextius, or to that brave man, Marcus Marcellus, before this time the senate would deservedly have laid violent hands on me, consul though I be, in this very temple. But as to you, Catiline, while they are quiet they approve, while they permit me to speak they vote, while they are silent they are loud and eloquent. And not they alone, whose authority forsooth is dear to you, though their lives are unimportant, but the Roman knights too, those most honourable and excellent men, and the other virtuous citizens who are now surrounding the senate, whose numbers you could see, whose desires you could know, and whose voices you a few minutes ago could hear,—ay, whose very hands and weapons I have for some time been scarcely able to keep off from you; but those, too, I will easily bring to attend you to the gates if you leave these places you have been long desiring to lay waste.

IX. And yet, why am I speaking? that anything may change your purpose? that you may ever amend your life?

that you may meditate flight or think of voluntary banishment? I wish the gods may give you such a mind; though I see, if alarmed at my words you bring your mind to go into banishment, what a storm of unpopularity hangs over me, if not at present, while the memory of your wickedness is fresh, at all events hereafter. But it is worth while to incur that, as long as that is but a private misfortune of my own, and is unconnected with the dangers of the republic. But we cannot expect that you should be concerned at your own vices, that you should fear the penalties of the laws, or that you should yield to the necessities of the republic, for you are not, O Catiline, one whom either shame can recal from infamy, or fear from danger, or reason from madness.

Wherefore, as I have said before, go forth, and if you wish to make me, your enemy as you call me, unpopular, go straight into banishment. I shall scarcely be able to endure all that will be said if you do so; I shall scarcely be able to support my load of unpopularity if you do go into banishment at the command of the consul; but if you wish to serve my credit and reputation, go forth with your ill-omened band of profligates; betake yourself to Manlius, rouse up the abandoned citizens, separate yourself from the good ones, wage war against your country, exult in your impious banditti, so that you may not seem to have been driven out by me and gone to strangers, but to have gone invited to your own friends.

Though why should I invite you, by whom I know men have been already sent on to wait in arms for you at the forum Aurelium; who I know has fixed and agreed with Manlius upon a settled day; by whom I know that that silver eagle, which I trust will be ruinous and fatal to you and to all your friends, and to which there was set up in your house a shrine as it were of your crimes, has been already sent forward. Need I fear that you can long do without that which you used to worship when going out to murder, and from whose altars you have often transferred your impious hand to the slaughter of citizens?

X. You will go at last where your unbridled and mad desire has been long hurrying you. And this causes you no grief, but an incredible pleasure. Nature has formed you, desire has trained you, fortune has preserved you for this insanity. Not only did you never desire quiet, but you

never even desired any war but a criminal one; you have collected a band of profligates and worthless men, abandoned not only by all fortune but even by hope.

Then what happiness will you enjoy! with what delight will you exult! in what pleasure will you revel! when in so numerous a body of friends, you neither hear nor see one good man. All the toils you have gone through have always pointed to this sort of life; your lying on the ground not merely to lie in wait to gratify your unclean desires, but even to accomplish crimes; your vigilance, not only when plotting against the sleep of husbands, but also against the goods of your murdered victims, have all been preparations for this. Now you have an opportunity of displaying your splendid endurance of hunger, of cold, of want of everything; by which in a short time you will find yourself worn out. All this I effected when I procured your rejection from the consulship, that you should be reduced to make attempts on your country as an exile, instead of being able to distress it as consul, and that that which had been wickedly undertaken by you should be called piracy rather than war.

XI. Now that I may remove and avert, O conscript fathers, any in the least reasonable complaint from myself, listen, I beseech you, carefully to what I say, and lay it up in your inmost hearts and minds. In truth, if my country, which is far dearer to me than my life,—if all Italy,—if the whole republic were to address me, “Marcus Tullius, what are you doing? will you permit that man to depart whom you have ascertained to be an enemy? whom you see ready to become the general of the war? whom you know to be expected in the camp of the enemy as their chief, the author of all this wickedness, the head of the conspiracy, the instigator of the slaves and abandoned citizens, so that he shall seem not driven out of the city by you, but let loose by you against the city? Will you not order him to be thrown into prison, to be hurried off to execution, to be put to death with the most prompt severity? What hinders you? is it the customs of our ancestors? But even private men have often in this republic slain mischievous citizens.—Is it the laws which have been passed about the punishment of Roman citizens? But in this city those who have rebelled against the republic have never had the rights of citizens.—Do you fear odium with posterity? You are showing fine gratitude

to the Roman people which has raised you, a man known only by your own actions, of no ancestral renown, through all the degrees of honour at so early an age to the very highest office, if from fear of unpopularity or of any danger you neglect the safety of your fellow-citizens. But if you have a fear of unpopularity, is that arising from the imputation of vigour and boldness, or that arising from that of inactivity and indecision most to be feared? When Italy is laid waste by war, when cities are attacked and houses in flames, do you not think that you will be then consumed by a perfect conflagration of hatred?"

XII. To this holy address of the republic, and to the feelings of those men who entertain the same opinion, I will make this short answer:—If, O conscript fathers, I thought it best that Catiline should be punished with death, I would not have given the space of one hour to this gladiator to live in. If, forsooth, those excellent men and most illustrious cities not only did not pollute themselves, but even glorified themselves by the blood of Saturninus, and the Gracchi, and Flaccus, and many others of old time, surely I had no cause to fear lest for slaying this parricidal murderer of the citizens any unpopularity should accrue to me with posterity. And if it did threaten me to ever so great a degree, yet I have always been of the disposition to think unpopularity earned by virtue and glory, not unpopularity.

Though there are some men in this body who either do not see what threatens, or dissemble what they do see; who have fed the hope of Catiline by mild sentiments, and have strengthened the rising conspiracy by not believing it; influenced by whose authority many, and they not wicked, but only ignorant, if I punished him would say that I had acted cruelly and tyrannically. But I know that if he arrives at the camp of Manlius to which he is going, there will be no one so stupid as not to see that there has been a conspiracy, no one so hardened as not to confess it. But if this man alone were put to death, I know that this disease of the republic would be only checked for awhile, not eradicated for ever. But if he banishes himself, and takes with him all his friends, and collects at one point all the ruined men from every quarter, then not only will this full-grown plague of the republic be extinguished and eradicated, but also the root and seed of all future evils.

XIII. We have now for a long time, O conscript fathers, lived among these dangers and machinations of conspiracy; but somehow or other, the ripeness of all wickedness, and of this long-standing madness and audacity, has come to a head at the time of my consulship. But if this man alone is removed from this piratical crew, we may appear, perhaps, for a short time relieved from fear and anxiety, but the danger will settle down and lie hid in the veins and bowels of the republic. As it often happens that men afflicted with a severe disease, when they are tortured with heat and fever, if they drink cold water, seem at first to be relieved, but afterwards suffer more and more severely; so this disease which is in the republic, if relieved by the punishment of this man, will only get worse and worse, as the rest will be still alive.

Wherefore, O conscript fathers, let the worthless begone,—let them separate themselves from the good,—let them collect in one place,—let them, as I have often said before, be separated from us by a wall; let them cease to plot against the consul in his own house,—to surround the tribunal of the city prætor,—to besiege the senate-house with swords,—to prepare brands and torches to burn the city; let it, in short, be written on the brow of every citizen, what are his sentiments about the republic. I promise you this, O conscript fathers, that there shall be so much diligence in us the consuls, so much authority in you, so much virtue in the Roman knights, so much unanimity in all good men, that you shall see everything made plain and manifest by the departure of Catiline,—everything checked and punished.

With these omens, O Catiline, begone to your impious and nefarious war, to the great safety of the republic, to your own misfortune and injury, and to the destruction of those who have joined themselves to you in every wickedness and atrocity. Then do you, O Jupiter, who were consecrated by Romulus with the same auspices as this city, whom we rightly call the stay of this city and empire, repel this man and his companions from your altars and from the other temples,—from the houses and walls of the city,—from the lives and fortunes of all the citizens; and overwhelm all the enemies of good men, the foes of the republic, the robbers of Italy, men bound together by a treaty and infamous alliance of crimes, dead and alive, with eternal punishments.

THE SECOND ORATION OF M. T. CICERO AGAINST LUCIUS CATILINA.

ADDRESSED TO THE PEOPLE.

THE ARGUMENT.

Catiline did not venture to make any reply to the former speech, but he begged the senate not to be too hasty in believing everything which was said to his prejudice by one who had always been his enemy, as Cicero had; and alleged his high birth, and the stake which he had in the prosperity of the commonwealth, as arguments to make it appear improbable that he should seek to injure it; and called Cicero a stranger, and a new inhabitant of Rome. But the senate interrupted him with a general outcry, calling him traitor and parricide. Upon which, being rendered furious and desperate, he declared aloud what he had before said to Cato, that since he was circumvented and driven headlong by his enemies, he would quench the flame which his enemies were kindling around him in the common ruin. And so he rushed out of the temple. On his arrival at his own house he held a brief conference with the other conspirators, in which it was resolved that he should go at once to the camp of Manlius, and return as speedily as he could at the head of the army which was there awaiting him. Accordingly, that night he left Rome with a small retinue, and made the best of his way towards Etruria. His friends gave out that he had gone into voluntary banishment at Marseilles; and spread that report through the city the next morning, in order to excite odium against Cicero, as having driven him out without any trial or proof of his guilt. But Cicero was aware of his motions, and knew that he had previously sent a quantity of arms, and military ensigns, and especially a silver eagle which he had been used to keep in his own house with a superstitious reverence, because it had been used by the great Marius in his expedition against the Cimbri. However, he thought it desirable to counteract the story of his having gone into exile, and therefore summoned the people into the forum, and made them the following speech.

I. At length, O Romans, we have dismissed from the city, or driven out, or, when he was departing of his own accord, we have pursued with words, Lucius Catiline, mad with audacity, breathing wickedness, impiously planning mischief to his country, threatening fire and sword to you and to this city. He is gone, he has departed, he has disappeared, he has rushed out. No injury will now be prepared against these

walls within the walls themselves by that monster and prodigy of wickedness. And we have, without controversy, defeated him, the sole general of this domestic war. For now that dagger will no longer hover about our sides ; we shall not be afraid in the campus, in the forum, in the senate-house,—ay, and within our own private walls. He was moved from his place when he was driven from the city. Now we shall openly carry on a regular war with an enemy without hindrance. Beyond all question we ruin the man ; we have defeated him splendidly when we have driven him from secret treachery into open warfare. But that he has not taken with him his sword red with blood as he intended,—that he has left us alive,—that we wrested the weapon from his hands,—that he has left the citizens safe and the city standing, what great and overwhelming grief must you think that this is to him ! Now he lies prostrate, O Romans, and feels himself stricken down and abject, and often casts back his eyes towards this city, which he mourns over as snatched from his jaws, but which seems to me to rejoice at having vomited forth such a pest, and cast it out of doors.

II. But if there be any one of that disposition which all men should have, who yet blames me greatly for the very thing in which my speech exults and triumphs,—namely, that I did not arrest so capital mortal an enemy rather than let him go,—that is not my fault, O citizens, but the fault of the times. Lucius Catiline ought to have been visited with the severest punishment, and to have been put to death long since ; and both the customs of our ancestors, and the rigour of my office, and the republic, demanded this of me ; but how many, think you, were there who did not believe what I reported ? how many who out of stupidity did not think so ? how many who even defended him,—how many who, out of their own depravity, favoured him ? If, in truth, I had thought that, if he were removed, all danger would be removed from you, I would long since have cut off Lucius Catiline, had it been at the risk, not only of my popularity, but even of my life.

But as I saw that, since the matter was not even then proved to all of you, if I had punished him with death, as he had deserved, I should be borne down by unpopularity, and so be unable to follow up his accomplices, I brought the business on to this point that you might be able to combat openly when

you saw the enemy without disguise. But how exceedingly I think this enemy to be feared now that he is out of doors, you may see from this,—that I am vexed even that he has gone from the city with but a small retinue. I wish he had taken with him all his forces. He has taken with him Tongillus, with whom he had been said to have a criminal intimacy, and Publicius, and Munatius, whose debts contracted in taverns could cause no great disquietude to the republic. He has left behind him others—you all know what men they are, how overwhelmed with debt, how powerful, how noble.

III. Therefore, with our Gallic legions, and with the levies which Quintus Metellus has raised in the Picenian and Gallic territory, and with these troops which are every day being got ready by us, I thoroughly despise that army composed of desperate old men, of clownish profligates, and uneducated spendthrifts; of those who have preferred to desert their bail rather than that army, and which will fall to pieces if I show them not the battle array of our army, but an edict of the prætor. I wish he had taken with him those soldiers of his, whom I see hovering about the forum, standing about the senate-house, even coming into the senate, who shine with ointment, who glitter in purple; and if they remain here, remember that that army is not so much to be feared by us as these men who have deserted the army. And they are the more to be feared, because they are aware that I know what they are thinking of, and yet they are not influenced by it.

I know to whom Apulia has been allotted, who has Etruria, who the Picenian territory, who the Gallic district, who has begged for himself the office of spreading fire and sword by night through the city. They know that all the plans of the preceding night are brought to me. I laid them before the senate yesterday. Catiline himself was alarmed, and fled. Why do these men wait? Verily, they are greatly mistaken if they think that former lenity of mine will last for ever.

IV. What I have been waiting for, that I have gained,—namely, that you should all see that a conspiracy has been openly formed against the republic; unless, indeed, there be any one who thinks that those who are like Catiline do not agree with Catiline. There is not any longer room for lenity; the business itself demands severity. One thing, even now, I will grant,—let them depart, let them begone. Let them

not suffer the unhappy Catiline to pine away for want of them. I will tell them the road. He went by the Aurelian road. If they make haste, they will catch him by the evening. O happy republic, if it can cast forth these dregs of the republic! Even now, when Catiline alone is got rid of, the republic seems to me relieved and refreshed; for what evil or wickedness can be devised or imagined which he did not conceive? What prisoner, what gladiator, what thief, what assassin, what parricide, what forger of wills, what cheat, what debauchee, what spendthrift, what adulterer, what abandoned woman, what corrupter of youth, what profligate, what scoundrel can be found in all Italy, who does not avow that he has been on terms of intimacy with Catiline? What murder has been committed for years without him? What nefarious act of infamy that has not been done by him?

But in what other man were there ever so many allurements for youth as in him, who both indulged in infamous love for others, and encouraged their infamous affections for himself, promising to some enjoyment of their lust, to others the death of their parents, and not only instigating them to iniquity, but even assisting them in it. But now, how suddenly had he collected, not only out of the city, but even out of the country, a number of abandoned men? No one, not only at Rome, but in every corner of Italy, was overwhelmed with debt whom he did not enlist in this incredible association of wickedness.

V. And, that you may understand the diversity of his pursuits and the variety of his designs, there was no one in any school of gladiators, at all inclined to audacity, who does not avow himself to be an intimate friend of Catiline,—o one on the stage, at all of a fickle and worthless disposition, who does not profess himself his companion. And he, trained in the practice of insult and wickedness, in enduring cold, and hunger, and thirst, and watching, was called a brave man by those fellows, while all the appliances of industry and instruments of virtue were devoted to lust and atrocity.

But if his companions follow him,—if the infamous herd of desperate men depart from the city, O happy shall we be, fortunate will be the republic, illustrious will be the renown of my consulship. For theirs is no ordinary insolence,—no common and endurable audacity. They think of nothing

but slaughter, conflagration, and rapine. They have dissipated their patrimonies, they have squandered their fortunes. Money has long failed them, and now credit begins to fail; but the same desires remain which they had in their time of abundance. But if in their drinking and gambling parties they were content with feasts and harlots, they would be in a hopeless state indeed; but yet they might be endured. But who can bear this,—that indolent men should plot against the bravest,—drunkards against the sober,—men asleep against men awake,—men lying at feasts, embracing abandoned women, languid with wine, crammed with food, crowned with chaplets, reeking with ointments, worn out with lust, belch out in their discourse the murder of all good men, and the conflagration of the city?

But I am confident that some fate is hanging over these men, and that the punishment long since due to their iniquity, and worthlessness, and wickedness, and lust, is either visibly at hand or at least rapidly approaching. And if my consulship shall have removed, since it cannot cure them, it will have added, not some brief span, but many ages of existence to the republic. For there is no nation for us to fear,—no king who can make war on the Roman people. All foreign affairs are tranquillized, both by land and sea, by the valour of one man. Domestic war alone remains. The only plots against us are within our own walls,—the danger is within,—the enemy is within. We must war with luxury, with madness, with wickedness. For this war, O citizens, I offer myself as the general. I take on myself the enmity of profligate men. What can be cured, I will cure, by whatever means it may be possible. What must be cut away, I will not suffer to spread, to the ruin of the republic. Let them depart, or let them stay quiet; or if they remain in the city and in the same disposition as at present, let them expect what they deserve.

VI. But there are men, O Romans, who say that Catiline has been driven by me into banishment. But if I could do so by a word, I would drive out those also who say so. Forsooth, that timid, that excessively bashful man could not bear the voice of the consul; as soon as he was ordered to go into banishment, he obeyed, he was quiet. Yesterday, when I had been all but murdered at my own house, I convoked the senate in the temple of Jupiter Stator; I related the whole affair to the conscript fathers; and when Catiline came

thithor, what senator addressed him? who saluted him? who looked upon him not so much even as an abandoned citizen, as an implacable enemy? Nay the chiefs of that body left that part of the benches to which he came naked and empty.

On this I, that violent consul, who drive citizens into exile by a word, asked of Catiline whether he had been at the nocturnal meeting at Marcus Lecca's, or not; when that most audacious man, convicted by his own conscience, was at first silent. I related all the other circumstances; I described what he had done that night, where he had been, what he had arranged for the next night, how the plan of the whole war had been laid down by him. When he hesitated, when he was convicted, I asked why he hesitated to go whither he had been long preparing to go; when I knew that arms, that the axes, the fasces, and trumpets, and military standards, and that silver eagle to which he had made a shrine in his own house, had been sent on, did I drive him into exile who I knew had already entered upon war? I suppose Manlius, that centurion who has pitched his camp in the Fæsulan district, has proclaimed war against the Roman people in his own name; and that camp is not now waiting for Catiline as its general, and he, driven forsooth into exile, will go to Marselles, as they say, and not to that camp.

VII. O the hard lot of those, not only of those who govern, but even of those who save the republic. Now, if Lucius Catiline, hemmed in and rendered powerless by my counsels, by my toils, by my dangers, should on a sudden become alarmed, should change his designs, should desert his friends, should abandon his design of making war, should change his path from this course of wickedness and war, and betake himself to flight and exile, he will not be said to have been deprived by me of the arms of his audacity, to have been astounded and terrified by my diligence, to have been driven from his hope and from his enterprise, but, uncondemned and innocent, to have been driven into banishment by the consul by threats and violence; and there will be some who will seek to have him thought not worthless but unfortunate, and me considered not a most active consul, but a most cruel tyrant. I am not unwilling, O Romans, to endure this storm of false and unjust unpopularity as long as the danger of this horrible and nefarious war is warded off from you. Let him be said to be banished by me as long as he goes into banish-

go; out, believe me, he will not go. I will never ask of the immortal gods, O Romans, for the sake of lightening my own unpopularity, for you to hear that Lucius Catiline is leading an army of enemies, and is hovering about in arms; but yet in three days you will hear it. And I much more fear that it will be objected to me some day or other, that I have let him escape, rather than that I have banished him. But when there are men who say he has been banished because he has gone away, what would these men say if he had been put to death?

Although those men who keep saying that Catiline is going to Marseilles do not complain of this so much as they fear it; for there is not one of them so inclined to pity, as not to prefer that he should go to Manlius rather than to Marseilles. But he, if he had never before planned what he is now doing, yet would rather be slain while living as a bandit, than live as an exile; but now, when nothing has happened to him contrary to his own wish and design,—except, indeed, that he has left Rome while we are alive,—let us wish rather that he may go into exile than complain of it.

VIII. But why are we speaking so long about one enemy, and about that enemy who now avows that he is one; and whom I now do not fear, because, as I have always wished, a wall is between us; and are saying nothing about those who dissemble, who remain at Rome, who are among us? Whom, indeed, if it were by any means possible, I should be anxious not so much to chastise as to cure, and to make friendly to the republic; nor, if they will listen to me, do I quite know why that may not be. For I will tell you, O Romans, of what classes of men those forces are made up, and then, if I can, I will apply to each the medicine of my advice and persuasion.

There is one class of them, who, with enormous debts have still greater possessions, and who can by no means be detached from their affection to them. Of these men the appearance is most respectable, for they are wealthy, but their attention and their cause are most shameless. Will you be rich in lands, in houses, in money, in slaves, in all things, and yet hesitate to diminish your possessions to add to your credit? What are you expecting? War? What! in the devastation of all things, do you believe that your own possessions will be held sacred? do you expect an abolition of debts?

They are mistaken who expect that from Catiline. There may be schedules made out, owing to my exertions, but they will be only catalogues of sale. Nor can those who have possessions be safe by any other means; and if they had been willing to adopt this plan earlier, and not, as is very foolish, to struggle on against usury with the profits of their farms, we should have them now richer and better citizens. But I think these men are the least of all to be dreaded, because they can either be persuaded to abandon their opinions, or if they cling to them, they seem to me more likely to form wishes against the republic than to bear arms against it.

IX. There is another class of them, who, although they are harassed by debt, yet are expecting supreme power; they wish to become masters. They think that when the republic is in confusion they may gain those honours which they despair of when it is in tranquillity. And they must, I think, be told the same as every one else,—to despair of obtaining what they are aiming at; that in the first place, I myself am watchful for, am present to, am providing for the republic. Besides that, there is a high spirit in the virtuous citizens, great unanimity, great numbers, and also a large body of troops. Above all that, the immortal gods will stand by and bring aid to this invincible nation, this most illustrious empire, this most beautiful city, against such wicked violence. And if they had already got that which they with the greatest madness wish for, do they think that in the ashes of the city and blood of the citizens, which in their wicked and infamous hearts they desire, they will become consuls and dictators and even kings? Do they not see that they are wishing for that which, if they were to obtain it, must be given up to some fugitive slave, or to some gladiator?

There is a third class, already touched by age, but still vigorous from constant exercise; of which class is Manlius himself, whom Catiline is now succeeding. These are men of those colonies which Sylla established at Fæsulæ, which I know to be composed, on the whole, of excellent citizens and brave men; but yet these are colonists, who, from becoming possessed of unexpected and sudden wealth, boast themselves extravagantly and insolently; these men, while they build like rich men, while they delight in farms, in litters, in vast families of slaves, in luxurious banquets, have incurred such great debts, that, if they would be saved, they

must raise Sylla from the dead ; and they have even excited some countrymen, poor and needy men, to entertain the same hopes of plunder as themselves. And all these men, O Romans, I place in the same class of robbers and banditti. But, I warn them, let them cease to be mad, and to think of proscriptions and dictatorships ; for such a horror of these times is ingrained into the city, that not even men, but it seems to me that even the very cattle would refuse to bear them again.

X. There is a fourth class, various, promiscuous and turbulent ; who indeed are now overwhelmed ; who will never recover themselves ; who, partly from indolence, partly from managing their affairs badly, partly from extravagance, are embarrassed by old debts ; and worn out with bail bonds, and judgments, and seizures of their goods, are said to be betaking themselves in numbers to that camp both from the city and the country. These men I think not so much active soldiers as lazy insolvents ; who, if they cannot stand at first, may fall, but fall so, that not only the city but even their nearest neighbours know nothing of it. For I do not understand why, if they cannot live with honour, they should wish to die shamefully ; or why they think they shall perish with less pain in a crowd, than if they perish by themselves.

There is a fifth class, of parricides, assassins, in short of all infamous characters, whom I do not wish to recal from Catiline, and indeed they cannot be separated from him. Let them perish in their wicked war, since they are so numerous that a prison cannot contain them.

There is a last class, last not only in number but in the sort of men and in their way of life ; the especial body-guard of Catiline, of his levying ; ay, the friends of his embraces and of his bosom ; whom you see with carefully combed hair, glossy, beardless, or with well-trimmed beards ; with tunics with sleeves, or reaching to the ancles ; clothed with veils, not with robes ; all the industry of whose life, all the labour of whose watchfulness, is expended in suppers lasting till day-break.

In these bands are all the gamblers, all the adulterers, all the unclean and shameless citizens. These boys, so witty and delicate, have learnt not only to love and to be loved, not only to sing and to dance, but also to brandish daggers and to administer poisons ; and unless they are driven out, unless

they die, even should Catiline die, I warn you that the school of Catiline would exist in the republic. But what do those wretches want? Are they going to take their wives with them to the camp? How can they do without them, especially in these nights? and how will they endure the Apennines, and these frosts, and this snow? unless they think that they will bear the winter more easily because they have been in the habit of dancing naked at their feasts. O war much to be dreaded, when Catiline is going to have his body-guard of prostitutes!

XI. Array now, O Romans, against these splendid troops of Catiline, your guards and your armies; and first of all oppose to that worn-out and wounded gladiator your consuls and generals; then against that banished and enfeebled troop of ruined men lead out the flower and strength of all Italy: instantly the cities of the colonies and municipalities will match the rustic mounds of Catiline; and I will not condescend to compare the rest of your troops and equipments and guards with the want and destitution of that highway-man. But if, omitting all these things in which we are rich and of which he is destitute,—the senate, the Roman knights, the people, the city, the treasury, the revenues, all Italy, all the provinces, foreign nations,—if, I say, omitting all these things, we choose to compare the causes themselves which are opposed to one another, we may understand from that alone how thoroughly prostrate they are. For on the one side are fighting modesty, on the other wantonness; on the one chastity, on the other uncleanness; on the one honesty, on the other fraud; on the one piety, on the other wickedness; on the one consistency, on the other insanity; on the one honour, on the other baseness; on the one continence, on the other lust; in short, equity, temperance, fortitude, prudence, all the virtues contend against iniquity with luxury, against indolence, against rashness, against all the vices; lastly, abundance contends against destitution, good plans against baffled designs, wisdom against madness, well-founded hope against universal despair. In a contest and war of this sort, even if the zeal of men were to fail, will not the immortal gods compel such numerous and excessive vices to be defeated by these most eminent virtues?

XII. And as this is the case, O Romans, do ye, as I have said before, defend your house with guards and vigilance.

I have taken care and made arrangements that there shall be sufficient protection for the city without distressing you and without any tumult. All the colonists and citizens of your municipal towns, being informed by me of this nocturnal sally of Catiline, will easily defend their cities and territories; the gladiators which he thought would be his most numerous and most trusty band, although they are better disposed than part of the patricians, will be held in check by our power. Quintus Metellus, whom I, making provision for this, sent on to the Gallic and Picenian territory, will either overwhelm the man, or will prevent all his motions and attempts; but with respect to the arrangement of all other matters, and maturing and acting on our plans, we shall consult the senate, which, as you are aware, is convened.

Now once more I wish those who have remained in the city, and who, contrary to the safety of the city and of all of you, have been left in the city by Catiline, although they are enemies, yet because they were born citizens, to be warned again and again by me. If my lenity has appeared to any one too remiss, it has been only waiting that that might break out which was lying hid. As to the future, I cannot now forget that this is my country, that I am the consul of these citizens; that I must either live with them, or die for them. There is no guard at the gate, no one plotting against their path; if any one wishes to go, he can provide for himself; but if any one stirs in the city, and if I detect not only any action, but any attempt or design against the country, he shall feel that there are in this city vigilant consuls, eminent magistrates, a brave senate, arms, and prisons; which our ancestors appointed as the avengers of nefarious and convicted crimes.

XIII. And all this shall be so done, O Romans, that affairs of the greatest importance shall be transacted with the least possible disturbance; the greatest dangers shall be avoided without any tumult; an internal civil war the most cruel and terrible in the memory of man, shall be put an end to by me alone in the robe of peace acting as general and commander-in-chief. And this I will so arrange, O Romans, that if it can be by any means managed, even the most worthless man shall not suffer the punishment of his crimes in this city. But if the violence of open audacity, if danger impending over the republic drives me of necessity from this merciful disposition, at all events I will manage this, which seems

scarcely even to be hoped for in so great and so treacherous a war, that no good man shall fall, and that you may all be saved by the punishment of a few.

And I promise you this, O Romans, relying neither on my own prudence, nor on human counsels, but on many and manifest intimations of the will of the immortal gods; under whose guidance I first entertained this hope and this opinion; who are now defending their temples and the houses of the city, not afar off, as they were used to, from a foreign and distant enemy, but here on the spot, by their own divinity and present help. And you, O Romans, ought to pray to and implore them to defend from the nefarious wickedness of abandoned citizens, now that all the forces of all enemies are defeated by land and sea, this city which they have ordained to be the most beautiful and flourishing of all cities.

THE THIRD ORATION OF M. T. CICERO AGAINST LUCIUS CATILINA.

ADDRESSED TO THE PEOPLE.

THE ARGUMENT.

While Cicero was addressing the preceding speech to the people, a debate was going on in the senate of which we have no account. In the meanwhile Catiline, after staying a few days on the road to raise the country as he passed along, where his agents had been previously busy among the people, proceeded to Manlius's camp with the *asces* and all the ensigns of military command displayed before him. Upon this news the senate immediately declared him and Manlius public enemies; they offered pardon to all his followers who should return to their duty by a certain day; and ordered the consuls to make new levies, and that Antonius should follow Catiline with his army, and Cicero remain behind to protect the city.

In the meantime Lentulus, and the other conspirators who remained behind, were proceeding with their designs. And among other steps, they decided on endeavouring to tamper with some ambassadors from the Allobroges,¹ who were at that moment within the city, as the Allobroges were supposed not to be very well affected to the Roman power. At first these ambassadors appear to have willingly given

¹ The Allobroges occupied the districts of Dauphiné and Savoy.

ear to their proposals; but after a while they began to consider the difficulty of the business proposed to them, and the danger which would ensue to their state if it failed after they had become implicated in it; and accordingly they revealed the business to Quintus Fabius Sanga, the patron of their city, who communicated it to Cicero. Cicero desired the ambassadors to continue to listen to the proposals of the conspirators, till they had become fully acquainted with the extent of the plot, and till they were able to furnish him with full evidence against the actors in it; and by his suggestion they required the conspirators to furnish them with credentials to show to their countrymen. This was thought reasonable by Lentulus and his party, and they accordingly appointed a man named Vulturcius to accompany them, who was to introduce them to Catiline on their road, in order to confirm the agreement, and to exchange pledges with him, and Lentulus also furnished them with a letter to Catiline under his own hand and seal, though not signed. Cicero being privately informed of all these particulars, concerted with the ambassadors the time and manner of their leaving Rome by night, and had them arrested on the Mulvian bridge, about a mile from the city, with these letters and papers in their possession. This was all done, and they brought as prisoners to Cicero's house early in the morning.

Cicero immediately summoned the senate; and at the same time he sent for Lentulus, Cethegus, and others of the conspirators who were more especially implicated, such as Gabinius and Statilius, who all came immediately to his house, being ignorant of the discovery that had taken place. Being informed also that a quantity of arms had been provided by Cethegus for the purpose of the conspiracy, he orders Caius Sulpitius, one of the prætors, to search his house, and he did so, and found a great number of swords and daggers ready cleaned and fit for use.

He then proceeds to meet the senate in the Temple of Concord, with the ambassadors and conspirators in custody. He relates the whole affair to them, and introduces Vulturcius to be examined before them. Cicero, by the order of the senate, promises him pardon and reward if he reveals what he knew. On which he confesses everything; tells them that he had letters from Lentulus to Catiline to urge him to avail himself of the assistance of the slaves, and to lead his army with all expedition against Rome; in order, when the city had been set on fire, and the massacre commenced, that he might be able to intercept and destroy those who fled.

Then the ambassadors were examined, who declared that they had received letters to the chief men of their nation from Lentulus, Cethegus, and Statilius; and that they, and Lucius Cassius also, begged them to send a body of cavalry into Italy, and that Lentulus assured them, from the Sibylline books, that he was the third¹ Cornelius who was destined to reign at Rome. The letters were produced and opened. On the sight of them the conspirators respectively acknowledged them to be theirs, and Lentulus was even so conscience-stricken that he confessed his whole crime.

The senate passed a vote acknowledging the services of Cicero in the

¹ Cinna and Sylla had been the two former Cornelii.

most ample terms, and voted that Lentulus should be deposed from his office of prætor, and, with all the other conspirators, committed to safe custody. Cicero, after the senate adjourned, proceeded to the forum and gave an account to the people of everything which had passed, both in regard to the steps that he had taken to detect the whole conspiracy, and to convict the conspirators; and also of what had taken place in the senate, and of the votes and resolutions which that body had just passed.

While the prisoners were before the senate he had copies of their examinations and confessions taken down, and dispersed through Italy and all the provinces. This happened on the third of December.

I. You see this day, O Romans, the republic, and all your lives, your goods, your fortunes, your wives and children, this home of most illustrious empire, this most fortunate and beautiful city, by the great love of the immortal gods for you, by my labours and counsels and dangers, snatched from fire and sword, and almost from the very jaws of fate, and preserved and restored to you.

And if those days on which we are preserved are not less pleasant to us, or less illustrious, than those on which we are born, because the joy of being saved is certain, the good fortune of being born uncertain, and because we are born without feeling it, but we are preserved with great delight; ay, since we have, by our affection and by our good report, raised to the immortal gods that Romulus who built this city, he, too, who has preserved this city, built by him, and embellished as you see it, ought to be held in honour by you and your posterity; for we have extinguished flames which were almost laid under and placed around the temples and shrines, and houses and walls of the whole city; we have turned the edge of swords drawn against the republic, and have turned aside their points from your throats. And since all this has been displayed in the senate, and made manifest, and detected by me, I will now explain it briefly, that you, O citizens, that are as yet ignorant of it, and are in suspense, may be able to see how great the danger was, how evident and by what means it was detected and arrested. First of all, since Catiline, a few days ago, burst out of the city, when he had left behind the companions of his wickedness, the active leaders of this infamous war, I have continually watched and taken care, O Romans, of the means by which we might be safe amid such great and such carefully concealed treachery.

II. Further, when I drove Catiline out of the city, (for I do not fear the unpopularity of this expression, when that is

more to be feared that I should be blamed because he has departed alive,) but then when I wished him to be removed, I thought either that the rest of the band of conspirators would depart with him, or that they who remained would be weak and powerless without him.

And I, as I saw that those whom I knew to be inflamed with the greatest madness and wickedness were among us, and had remained at Rome, spent all my nights and days in taking care to know and see what they were doing, and what they were contriving; that, since what I said would, from the incredible enormity of the wickedness, make less impression on your ears, I might so detect the whole business that you might with all your hearts provide for your safety, when you saw the crime with your own eyes. Therefore, when I found that the ambassadors of the Allobroges had been tampered with by Publius Lentulus, for the sake of exciting a Transalpine war and commotion in Gaul, and that they, on their return to Gaul, had been sent with letters and messages to Catiline on the same road, and that Vulturcius had been added to them as a companion, and that he too had had letters given him for Catiline, I thought that an opportunity was given me of contriving what was most difficult, and which I was always wishing the immortal gods might grant, that the whole business might be manifestly detected not by me alone, but by the senate also, and by you.

Therefore, yesterday I summoned Lucius Flaccus and C. Pomtinus, the prætors, brave men and well-affected to the republic. I explained to them the whole matter, and showed them what I wished to have done. But they, full of noble and worthy sentiments towards the republic, without hesitation, and without any delay, undertook the business, and when it was evening, went secretly to the Mulvian bridge, and there so distributed themselves in the nearest villas, that the Tiber and the bridge was between them. And they took to the same place, without any one having the least suspicion of it, many brave men, and I had sent many picked young men of the prefecture of Reate, whose assistance I constantly employ in the protection of the republic, armed with swords. In the meantime, about the end of the third watch, when the ambassadors of the Allobroges, with a great retinue and Vulturcius with them, began to come upon the Mulvian bridge, an attack is made upon them; swords are drawn both by

them and by our people; the matter was understood by the prætors alone, but was unknown to the rest.

III. Then, by the intervention of Pomtinus and Flaccus, the fight which had begun was put an end to; all the letters which were in the hands of the whole company are delivered to the prætors with the seals unbroken; the men themselves are arrested and brought to me at daybreak. And I immediately summoned that most worthless contriver of all this wickedness, Gabinius, as yet suspecting nothing; after him, P. Statilius is sent for, and after him Cethegus; but Lentulus was a long time in coming,—I suppose, because, contrary to his custom, he had been up a long time the night before, writing letters.

But when those most noble and excellent men of the whole city, who, hearing of the matter, came in crowds to me in the morning, thought it best for me to open the letters before I related the matter to the senate, lest, if nothing were found in them, so great a disturbance might seem to have been caused to the state for nothing, I said I would never so act as shrink from referring matter of public danger to the public council. In truth if, O Romans, these things which had been reported to me had not been found in them, yet I did not think I ought, in such a crisis of the republic, to be afraid of the imputation of over-diligence. I quickly summoned a full senate, as you saw; and meantime, without any delay, by the advice of the Allobroges, I sent Caius Sulpicius the prætor, a brave man, to bring whatever arms he could find in the house of Cethegus, whence he did bring a great number of swords and daggers.

IV. I introduced Vulturcius without the Gauls. By the command of the senate, I pledged him the public faith for his safety. I exhorted him fearlessly to tell all he knew. Then, when he had scarcely recovered himself from his great alarm, he said: that he had messages and letters for Catiline, from Publius Lentulus, to avail himself of the guard of the slaves, and to come towards the city with his army as quickly as possible; and that was to be done with the intention that, when they had set fire to the city on all sides, as it had been arranged and distributed, and had made a great massacre of the citizens, he might be at hand to catch those who fled, and to join himself to the leaders within the city. But the Gauls being introduced, said that an oath had been administered to

them, and letters given them by Publius Lentulus, Cethegus, and Statilius, for their nation; and that they had been enjoined by them, and by Lucius Cassius, to send cavalry into Italy as early as possible; that infantry should not be wanting; and that Lentulus had assured him, from the Sibylline oracles and the answers of soothsayers, that he was that third Cornelius to whom the kingdom and sovereignty over this city was fated to come; that Cinna and Sylla had been before him; and that he had also said that was the year destined to the destruction of this city and empire, being the tenth year after the acquittal of the virgins, and the twentieth after the burning of the Capitol. But they said there had been this dispute between Cethegus and the rest,—that Lentulus and others thought it best that the massacre should take place and the city be burnt at the Saturnalia, but that Cethegus thought it too long to wait.

V. And, not to detain you, O Romans, we ordered the letters to be brought forward which were said to have been given them by each of the men. First, I showed his seal to Cethegus; he recognised it: we cut the thread; we read the letter. It was written with his own hand: that he would do for the senate and people of the Allobroges what he had promised their ambassadors; and that he begged them also to do what their ambassadors had arranged. Then Cethegus, who a little before had made answer about the swords and daggers which had been found in his house, and had said that he had always been fond of fine arms, being stricken down and dejected at the reading of his letters, convicted by his own conscience, became suddenly silent. Statilius, being introduced, owned his handwriting and his seal. His letters were read, of nearly the same tenor: he confessed it. Then I showed Lentulus his letters, and asked him whether he recognised the seal? He nodded assent. But it is, said I, a well-known seal;—the likeness of your grandfather, a most illustrious man, who greatly loved his country and his fellow-citizens; and it, even though silent, ought to have called you back from such wickedness.

Letters are read of the same tenor to the senate and people of the Allobroges. I offered him leave, if he wished to say anything of these matters: and at first he declined to speak; but a little afterwards, when the whole examination had been gone through and concluded, he rose. He asked the Gauls what he

had had to do with them ? why they had come to his house ? and he asked Vulturcius too. And when they had answered him briefly and steadily, under whose guidance they had come to him, and how often ; and when they asked him whether he had said nothing to them about the Sibylline oracles ; then he on a sudden, mad with wickedness, showed how great was the power of conscience ; for though he might have denied it, he suddenly, contrary to every one's expectation, confessed it : so not only did his genius and skill in oratory, for which he was always eminent, but even, through the power of his manifest and detected wickedness, that impudence, in which he surpassed all men, and audacity deserted him.

+ But Vulturcius on a sudden ordered the letters to be produced and opened which he said had been given to him for Catiline, by Lentulus. And though Lentulus was greatly agitated at that, yet he acknowledged his seal and his handwriting ; but the letter was anonymous, and ran thus :—" Who I am you will know from him whom I have sent to you : take care to behave like a man, and consider to what place you have proceeded, and provide for what is now necessary for you : take care to associate to yourself the assistance of every one, even of the powerless." Then Gabinius being introduced, when at first he had begun to answer impudently, at last denied nothing of those things which the Gauls alleged against him. And to me, indeed, O Romans, though the letters, the seals, the handwriting, and the confession of each individual seemed most certain indications and proofs of wickedness, yet their colour, their eyes, their countenance, their silence, appeared more certain still ; for they stood so stupified, they kept their eyes so fixed on the ground, at times looking stealthily at one another, that they appeared now not so much to be informed against by others as to be informing against themselves.

VI. Having produced and divulged these proofs, O Romans, I consulted the senate what ought to be done for the interests of the republic. Vigorous and fearless opinions were delivered by the chief men, which the senate adopted without any variety ; and since the decree of the senate is not yet written out, I will relate to you from memory, O citizens, what the senate has decreed. First of all, a vote of thanks to me is passed in the most honourable words, because the republic has been delivered from the greatest dangers by my valour

and wisdom, and prudence. Then Lucius Flaccus and Caius Pomtinus, the prætors, are deservedly and rightly praised, because I had availed myself of their brave and loyal assistance. And also, praise is given to that brave man, my colleague, because he had removed from his counsels, and from the counsels of the republic, those who had been accomplices in this conspiracy. And they voted that Publius Lentulus, when he had abdicated the prætorship, should be given into custody; and also, that Caius Cethegus, Lucius Statilius, Publius Gabinus, who were all present, should be given into custody: and the same decree was passed against Lucius Cassius, who had begged for himself the office of burning the city; against Marcus Caparius, to whom it had been proved that Apulia had been allotted for the purpose of exciting disaffection among the shepherds; against Publius Furius, who belongs to the colonies which Lucius Sylla led to Fæsulæ; against Quintus Manlius Chilo, who was always associated with this man Furius in his tampering with the Allobroges; against Publius Umbrenus, a freedman, by whom it was proved that the Gauls were originally brought to Gabinus.

And the senate, O citizens, acted with such lenity, that, out of so great a conspiracy, and such a number and multitude of domestic enemies, it thought that since the republic was saved, the minds of the rest might be restored to a healthy state by the punishment of nine most abandoned men. And also a supplication¹ was decreed in my name, (which is the first time since the building of the city that such an honour has ever been paid to a man in a civil capacity,) to the immortal gods, for their singular kindness. And it was decreed in these words, "because I had delivered the city from conflagration, the citizens from massacre, and Italy from war." And if this supplication be compared with others, O citizens, there is this difference between them,—that all others have been appointed because of the successes of the

¹ A supplication was a solemn thanksgiving to the gods, decreed by the senate, when all the temples were opened and the statues of the gods placed in public upon couches (*pulvinaria*), to which the people offered up their thanksgivings and prayers. It was usually decreed on the intelligence arriving of any great victory, and the number of days which it was to last was proportioned to the importance of the victory. It was generally regarded as a prelude to a triumph. Of course, from what has been said, it must have been usually confined to generals; who laid aside the *toga* on leaving the city to assume the command of the army, and assumed the *paludamentum*, or military robe.

republic ; this one alone for its preservation. And that which was the first thing to be done, has been done and executed ; for Publius Lentulus, though, being convicted by proofs and by his own confession, by the judgment of the senate he had lost not only the rights of a prætor, but also those of a citizen, still resigned his office ; so that, though Caius Marcius, that most illustrious of men, had no scruples about putting to death Caius Glaucius the prætor, against whom nothing had been decreed by name, still we are relieved from that scruple in the case of Publius Lentulus, who is now a private individual.

VII. Now, since, O citizens, you have the nefarious leaders of this most wicked and dangerous war taken prisoners and in your grasp, you ought to think that all the resources of Catiline,—all his hopes and all his power, now that these dangers of the city are warded off, have fallen to pieces. And, indeed, when I drove him from the city, I foresaw in my mind, O citizens, that if Catiline were removed, I had no cause to fear either the drowsiness of Publius Lentulus, or the fat of Lucius Cassius, or the mad rashness of Cassius Cethegus. He alone was to be feared of all these men, and that, only as long as he was within the walls of the city. He knew everything, he had access to everybody. He had the skill and the audacity to address, to tempt, and to tamper with every one. He had acuteness suited to crime ; and neither tongue nor hand ever failed to support that acuteness. Already he had men he could rely on, chosen and distributed for the execution of all other business ; and when he had ordered anything to be done, he did not think it was done on that account. There was nothing to which he did not personally attend and see to,—for which he did not watch and toil. He was able to endure cold, thirst, and hunger.

Unless I had driven this man, so active, so ready, so audacious, so crafty, so vigilant in wickedness, so industrious in criminal exploits, from his plots within the city to the open warfare of the camp, (I will express my honest opinion, O citizens,) I should not easily have removed from your necks so vast a weight of evil. He would not have determined on the Saturnalia¹ to massacre you,—he would not

¹ The Saturnalia was a feast of Saturn at which extraordinary licence and indulgence was allowed to all the slaves ; it took place at the end of December, while this speech of Cicero was delivered early in November.

have announced the destruction of the republic, and even the day of its doom so long beforehand,—he would never have allowed his seal and his letters, the undeniable witnesses of his guilt, to be taken, which now, since he is absent, has been so done that no larceny in a private house has ever been so thoroughly and clearly detected as this vast conspiracy against the republic. But if Catiline had remained in the city to this day, although, as long as he was so, I met all his designs and withstood them; yet, to say the least, we should have had to fight with him, and should never, while he remained as an enemy in the city, have delivered the republic from such dangers, with such ease, such tranquillity, and such silence.

VIII. Although all these things, O Romans, have been so managed by me, that they appear to have been done and provided for by the order and design of the immortal gods; and as we may conjecture this because the direction of such weighty affairs scarcely appears capable of having been carried out by human wisdom; so, too, they have at this time so brought us present aid and assistance, that we could almost behold them without eyes. For to say nothing of those things, namely, the firebrands seen in the west in the night time, and the heat of the atmosphere,—to pass over the falling of thunderbolts and the earthquakes,—to say nothing of all the other portents which have taken place in such numbers during my consulship, that the immortal gods themselves have been seeming to predict what is now taking place; yet, at all events, this which I am about to mention, O Romans, must be neither passed over nor omitted.

For you recollect, I suppose, when Cotta and Torquatus were consuls, that many towers in the Capitol were struck with lightning, when both the images of the immortal gods were moved, and the statues of many ancient men were thrown down, and the brazen tablets on which the laws were written were melted. Even Romulus, who built this city, was struck, which, you recollect, stood in the Capitol, a gilt statue, little and sucking, and clinging to the teats of the wolf. And when at this time the soothsayers were assembled out of all Etruria, they said that slaughter, and conflagration, and the overthrow of the laws, and civil and domestic war, and the fall of the whole city and empire was at hand, unless the immortal gods, being appeased in every possible manner, by their own power turned aside, as I may say, the very fates themselves.

Therefore, according to their answers, games were celebrated for ten days, nor was anything omitted which might tend to the appeasing of the gods. And they enjoined also that we should make a greater statue of Jupiter, and place it in a lofty situation, and (contrary to what had been done before) turn it towards the east. And they said that they hoped that if that statue which you now behold looked upon the rising of the sun, and the forum, and the senate-house, then those designs which were secretly formed against the safety of the city and empire would be brought to light, so as to be able to be thoroughly seen by the senate and by the Roman people. And the consuls ordered it to be so placed; but so great was the delay in the work, that it was never set up by the former consuls, nor by us before this day.

IX. Here who, O Romans, can there be so obstinate against the truth, so headstrong, so void of sense, as to deny that all these things which we see, and especially this city, is governed by the divine authority and power of the immortal gods? Forsooth, when this answer had been given,—that massacre, and conflagration, and ruin was prepared for the republic; and that, too, by profligate citizens, which, from the enormity of the wickedness, appeared incredible to some people, you found that it had not only been planned by wicked citizens, but had even been undertaken and commenced. And is not this fact so present that it appears to have taken place by the express will of the good and mighty Jupiter, that, when this day, early in the morning, both the conspirators and their accusers were being led by my command through the forum to the Temple of Concord, at that very time the statue was being erected? And when it was set up, and turned towards you and towards the senate, the senate and you yourselves saw everything which had been planned against the universal safety brought to light and made manifest.

And on this account they deserve even greater hatred and greater punishment, for having attempted to apply their fatal and wicked fire; not only to your houses and homes, but even to the shrines and temples of the Gods. And if I were to say that it was I who resisted them, I should take too much to myself, and ought not to be borne. He—he, Jupiter, resisted them. He determined that the Capitol should be safe, he saved these temples, he saved this city, he saved all of you.

It is under the guidance of the immortal gods, O Romans, that I have cherished the intention and desires which I have, and have arrived at such undeniable proofs. Surely, that tampering with the Allobroges would never have taken place, so important a matter would never have been so madly entrusted, by Lentulus and the rest of our internal enemies, to strangers and foreigners, such letters would never have been written, unless all prudence had been taken by the immortal gods from such terrible audacity. What shall I say? That Gauls, men from a state scarcely at peace with us, the only nation existing which seems both to be able to make war on the Roman people, and not to be unwilling to do so,—that they should disregard the hope of empire and of the greatest success voluntarily offered to them by patricians, and should prefer your safety to their own power—do you not think that that was caused by divine interposition? especially when they could have destroyed us, not by fighting, but by keeping silence.

X Wherefore, O citizens, since a supplication has been decreed at all the altars, celebrate those days with your wives and children; for many just and deserved honours have been often paid to the immortal gods, but juster ones never. For you have been snatched from a most cruel and miserable destruction, and you have been snatched from it without slaughter, without bloodshed, without an army, without a battle. You have conquered in the garb of peace, with me in the garb of peace for your only general and commander.

Remember, O citizens, all civil dissensions, and not only those which you have heard of, but these also which you yourselves remember and have seen. Lucius Sylla crushed Publius Sulpicius;¹ he drove from the city Caius Marius the guardian of this city; and of many other brave men some he drove from the city, and some he murdered. Cnæus Octavius the consul drove his colleague by force of arms out of the city; all this place was crowded with heaps of carcases and

¹ Sulpicius procured a law to be passed for taking the command against Mithridates from Sylla and giving it to Marius; Sylla came to Rome with his army and slew Sulpicius, when Marius fled to Africa. Sylla made Octavius and Cinna consuls, who quarrelled after he was gone, and Cinna went over to the party of Marius, who returned to Rome. Lepidus and Catulus were consuls the year after the death of Sylla, and they quarrelled because Lepidus wished to rescind all the acts of Sylla. Lepidus was defeated, fled to Sardinia, and died there.

flowed with the blood of citizens ; afterwards Cinna and Marius got the upper hand ; and then most illustrious men were put to death, and the lights of the state were extinguished. Afterwards Sylla avenged the cruelty of this victory ; it is needless to say with what a diminution of the citizens, and with what disasters to the republic. Marcus Lepidus disagreed with that most eminent and brave man Quintus Catulus. His death did not cause as much grief to the republic as that of the others.

And these dissensions, O Romans, were such as concerned not the destruction of the republic, but only a change in the constitution. They did not wish that there should be no republic, but that they themselves should be the chief men in that which existed ; nor did they desire that the city should be burnt, but that they themselves should flourish in it. And yet all those dissensions, none of which aimed at the destruction of the republic, were such that they were to be terminated not by a reconciliation and concord, but only by internecine war among the citizens. But in this war alone, the greatest and most cruel in the memory of man,—a war such as even the countries of the barbarians have never waged with their own tribes,—a war in which this law was laid down by Lentulus, and Catiline, and Cassius, and Cethegus, that every one, who could live in safety as long as the city remained in safety, should be considered as an enemy,—in this war I have so managed matters, O Romans, that you should all be preserved in safety ; and though your enemies had thought that only such a number of the citizens would be left as had held out against an interminable massacre, and only so much of the city as the flames could not devour, I have preserved both the city and the citizens unhurt and undiminished.

XI. And for these exploits, important as they are, O Romans, I ask from you no reward of virtue, no badge of honour, no monument of my glory, beyond the everlasting recollection of this day. In your minds I wish all my triumphs, all my decorations of honour, the monuments of my glory, the badges of my renown, to be stored and laid up. Nothing voiceless can delight me, nothing silent,—nothing, in short, such as even those who are less worthy can obtain. In your memory, O Romans, my name shall be cherished, in your discourses it shall grow, in the monuments of your letters it shall grow old and strengthen ; and I feel assured

that the same day which I hope will be for everlasting, will be remembered for ever, so as to tend both to the safety of the city and the recollection of my consulship; and that it will be remembered that there existed in this city at the same time two citizens, one of whom limited the boundaries of your empire only by the regions of heaven, not by those of the earth, while the other preserved the abode and home of that same empire.

XII. But since the fortune and condition of those exploits which I have performed is not the same with that of those men who have directed foreign wars—because I must live among those whom I have defeated and subdued, they have left their enemies either slain or crushed,—it is your business, O Romans, to take care, if their good deeds are a benefit to others, that mine shall never be an injury to me. For that the wicked and profligate designs of audacious men shall not be able to injure you, I have taken care; it is your business to take care that they do not injure me. Although, O Romans, no injury can be done to me by them,—for there is a great protection in the affection of all good men, which is procured for me for ever; there is great dignity in the republic, which will always silently defend me; there is great power in conscience, and those who neglect it, when they desire to attack me will destroy themselves.

There is moreover that disposition in me, O Romans, that I not only will yield to the audacity of no one, but that I always voluntarily attack the worthless. And if all the violence of domestic enemies being warded off from you turns itself upon me alone, you will have to take care, O Romans, in what condition you wish those men to be for the future, who for your safety have exposed themselves to unpopularity and to all sorts of dangers. As for me, myself, what is there which now can be gained by me for the enjoyment of life, especially when neither in credit among you, nor in the glory of virtue, do I see any higher point to which I can be desirous to climb?

That indeed I will take care of, O Romans, as a private man to uphold and embellish the exploits which I have performed in my consulship: so that, if there has been any unpopularity incurred in preserving the republic, it may injure those who envy me, and may tend to my glory. Lastly, I will so behave myself in the republic as always to remember what I

have done, and to take care that they shall appear to have been done through virtue, and not by chance. Do you, O Romans, since it is now night, worship that Jupiter, the guardian of this city and of yourselves, and depart to your homes; and defend those homes, though the danger is now removed, with guard and watch as you did last night. That you shall not have to do so long, and that you shall enjoy perpetual tranquillity, shall, O Romans, be my care.

THE FOURTH ORATION OF M. T. CICERO AGAINST LUCIUS CATILINA

DELIVERED IN THE SENATE

THE ARGUMENT.

The night after the events mentioned in the argument to the preceding oration, Cicero's wife Terentia, with the vestal virgins, was performing at home the mystic rites of the Bona Dea, while Cicero was deliberating with his friends on the best mode of punishing the conspirators. Terentia interrupted their deliberations by coming in to inform them of a prodigy which had just happened: that after the sacrifice in which she had been engaged was over, the fire revived spontaneously; on which the vestal virgins had sent her to him, to inform him of it, and to bid him pursue what he was then thinking of and intending for the good of his country, since the goddess had given this sign that she was watching over his safety and glory.

The next day the senate ordered public rewards to the ambassadors and to Vulturcius; and showed signs of intending to proceed with extreme rigour against the conspirators; when, on a sudden, rumours arose of plots having been formed by the slaves of Lentulus and Cethegus for their masters' rescue; which obliged Cicero to double all the guards, and determined him to prevent any repetition of such attempts by bringing before the senate without delay the question of the punishment of the prisoners. On which account he summoned the senate to meet the next morning.

There were many difficulties in the matter. Capital punishments were unusual and very unpopular at Rome. And there was an old law of Porcius Lecca, a tribune of the people, which granted to all criminals who were capitally condemned an appeal to the people; and also a law had been passed, since his time, by Caius Gracchus, to prohibit the taking away the life of any citizen without a formal hearing before the people. And these considerations had so much weight with some of the senators, that they absented themselves from the senate during this debate, in order to have no share in sentencing

prisoners of such high rank to death. The debate was opened by Silanus, the consul elect, who declared his opinion, that those in custody, and those also who should be taken subsequently, should all be put to death. Every one who followed him agreed with him, till Julius Cæsar, the prætor elect, (who has been often suspected of having been, at least to some extent, privy to the conspiracy,) rose, and in an elaborate speech proposed that they should not be put to death, but that their estates should be confiscated, and they themselves kept in perpetual confinement. Cato opposed him with great earnestness. But some of Cicero's friends appeared inclined to Cæsar's motion, thinking it a safer measure for Cicero himself; but when Cicero perceived this, he rose himself, and discussed the opinions both of Silanus and Cæsar in the following speech, which decided the senate to vote for their condemnation. And as soon as the vote had passed, Cicero went immediately from the senate house, took Lentulus from the custody of his kinsman Lentulus Spinther, and delivered him to the executioner. The other conspirators, Cethegus, Statilius, Gabinius, &c., were in like manner conducted to execution by the prætors; and Cicero was conducted home to his house in triumph by the whole body of the senate and by the knights, the whole multitude following him, and saluting him as their deliverer.

I. I SEE, O conscript fathers, that the looks and eyes of you all are turned towards me; I see that you are anxious not only for your own danger and that of the republic, but even, if that be removed, for mine. Your good-will is delightful to one amid evils, and pleasing amid grief; but I entreat you, in the name of the immortal gods, lay it aside now, and, forgetting my safety, think of yourselves and of your children. If, indeed, this condition of the consulship has been allotted to me, that I should bear all bitterness, all pains and tortures, I will bear them not only bravely but even cheerfully, provided that by my toils dignity and safety are procured for you and for the Roman people.

I am that consul, O conscript fathers, to whom neither the forum in which all justice is contained, nor the Campus Martius,¹ consecrated to the consular assemblies, nor the senate house, the chief assistance of all nations, nor my own home, the common refuge of all men, nor my bed devoted to rest, in short, not even this seat of honour, this curule chair, has ever been free from the danger of death, or from plots and treachery. I have been silent about many things, I have borne much, I have conceded much, I have remedied

¹ The *Campus Martius* was consecrated or restored to Mars after the expulsion of the Tarquins; the *comitia centuriata* at which all magistrates were created were held there.

things with some pain to myself, amid the alarm of you all. Now if the immortal gods have determined that there shall be this end to my consulship, that I should snatch you, O conscript fathers, and the Roman people from miserable slaughter, your wives and children and the vestal virgins from most bitter distress, the temples and shrines of the gods, and this most lovely country of all of us, from impious flames, all Italy from war and devastation; then, whatever fortune is laid up for me by myself, it shall be borne. If, indeed, Publius Lentulus, being led on by soothsayers, believed that his name was connected by destiny with the destruction of the republic, why should not I rejoice that my consulship has taken place almost by the express appointment of fate for the preservation of the republic?

II. Wherefore, O conscript fathers, consult the welfare of yourselves, provide for that of the republic; preserve yourselves, your wives, your children, and your fortunes; defend the name and safety of the Roman people; cease to spare me, and to think of me. For, in the first place, I ought to hope that all the gods who preside over this city will show me gratitude in proportion as I deserve it; and in the second place, if anything does happen to me, I shall fall with a contented and prepared mind; and, indeed, death cannot be disgraceful to a brave man, nor premature to one of consular rank, nor miserable to a wise man. Not that I am a man of so iron a disposition as not to be moved by the grief of a most dear and affectionate brother now present, and by the tears of all these men by whom you now see me surrounded. Nor does my fainting wife, my daughter prostrate with fear, and my little son whom the republic seems to me to embrace as a sort of hostage for my consulship, the son-in-law who, awaiting the end of that day, is now standing in my sight, fail often to recal my mind to my home. I am moved by all these circumstances, but in such a direction as to wish that they all may be safe together with you, even if some violence overwhelms me, rather than that both they and we should perish together with the republic.

Wherefore, O conscript fathers, attend to the safety of the republic; look round upon all the storms which are impending, unless you guard against them. It is not Tiberius Gracchus, who wished to be made a second time a tribune of the people; it is not Caius Gracchus, who endeavoured to excite the par-

tisans of the agrarian law ; it is not Lucius Saturninus, who slew Memmius, who is now in some danger, who is now brought before the tribunal of your severity. They are now in your hands who withstood all Rome, with the object of bringing conflagration on the whole city, massacre on all of you, and of receiving Catiline ; their letters are in your possession, their seals, their handwriting, and the confession of each individual of them ; the Allobroges are tampered with, the slaves are excited, Catiline is sent for ; the design is actually begun to be put in execution, that all should be put to death, so that no one should be left even to mourn the name of the republic, and to lament over the downfall of so mighty a dominion.

III. All these things the witnesses have informed you of, the prisoners have confessed, you by many judgments have already decided ; first, because you have thanked me in unprecedented language, and have passed a vote that the conspiracy of abandoned men has been laid open by my virtue and diligence ; secondly, because you have compelled Publius Lentulus to abdicate the prætorship ; again, because you have voted that he and the others about whom you have decided should be given into custody ; and above all, because you have decreed a supplication in my name, an honour which has never been paid to any one before acting in a civil capacity ; last of all, because yesterday you gave most ample rewards to the ambassadors of the Allobroges and to Titus Vulturcius ; all which acts are such that they, who have been given into custody by name, without any doubt seem already condemned by you.

But I have determined to refer the business to you as a fresh matter, O conscript fathers, both as to the fact, what you think of it, and as to the punishment, what you vote. I will state what it behoves the consul to state. I have seen for a long time great madness existing in the republic, and new designs being formed, and evil passions being stirred up, but I never thought that so great, so destructive a conspiracy as this was being meditated by citizens. Now to whatever point your minds and opinions incline, you must decide before night. You see how great a crime has been made known to you ; if you think that but few are implicated in it you are greatly mistaken ; this evil has spread wider than you think ; it has spread not only throughout Italy, but it

has even crossed the Alps, and creeping stealthily on, it has already occupied many of the provinces ; it can by no means be crushed by tolerating it, and by temporising with it ; however you determine on chastising it, you must act with promptitude.

IV. I see that as yet there are two opinions. One that of Decius Silanus, who thinks that those who have endeavoured to destroy all these things should be punished with death ; the other, that of Caius Cæsar, who objects to the punishment of death, but adopts the most extreme severity of all other punishment. Each acts in a manner suitable to his own dignity and to the magnitude of the business with the greatest severity. The one thinks that it is not right that those, who have attempted to deprive all of us and the whole Roman people of life, to destroy the empire, to extinguish the name of the Roman people, should enjoy life and the breath of heaven common to us all, for one moment ; and he remembers that this sort of punishment has often been employed against worthless citizens in this republic. The other feels that death was not appointed by the immortal gods for the sake of punishment, but that it is either a necessity of nature, or a rest from toils and miseries ; therefore wise men have never met it unwillingly, brave men have often encountered it even voluntarily. But imprisonment, and that too perpetual, was certainly invented for the extraordinary punishment of nefarious wickedness ; therefore he proposes that they should be distributed among the municipal towns. This proposition seems to have in it injustice if you command it, difficulty if you request it ; however let it be so decreed if you like.

For I will undertake, and, as I hope, I shall find one who will not think it suitable to his dignity to refuse what you decide on for the sake of the universal safety. He imposes besides a severe punishment on the burgesses of the municipal town if any of the prisoners escape ; he surrounds them with the most terrible guard, and with everything worthy of the wickedness of abandoned men. And he proposes to establish a decree that no one shall be able to alleviate the punishment of those whom he is condemning by a vote of either the senate or the people. He takes away even hope, which alone can comfort men in their miseries ; besides this, he votes that their goods should be confiscated ; he leaves life

alone to these infamous men, and if he had taken that away, he would have relieved them by one pang of many tortures of mind and body, and of all the punishment of their crimes. Therefore, that there might be some dread in life to the wicked, men of old have believed that there were some punishments of that sort appointed for the wicked in the shades below; because in truth they perceived that if this were taken away death itself would not be terrible.

V. Now, O conscript fathers, I see what is my interest; if you follow the opinion of Caius Cæsar, (since he has adopted this path in the republic which is accounted the popular one,) perhaps since he is the author and promoter of this opinion, the popular violence will be less to be dreaded by me; if you adopt the other opinion, I know not whether I am not likely to have more trouble; but still let the advantage of the republic outweigh the consideration of my danger. For we have from Caius Cæsar, as his own dignity and as the illustrious character of his ancestors demanded, a vote as a hostage of his lasting good-will to the republic; it has been clearly seen how great is the difference between the lenity of demagogues, and a disposition really attached to the interests of the people. I see that of those men who wish to be considered attached to the people one man is absent, that they may not seem forsooth to give a vote about the lives of Roman citizens. He only three days ago gave Roman citizens into custody, and decreed me a supplication, and voted most magnificent rewards to the witnesses only yesterday. It is not now doubtful to any one what he, who voted for the imprisonment of the criminals, congratulation to him who had detected them, and rewards to those who had proved the crime, thinks of the whole matter, and of the cause. But Caius Cæsar considers that the Sempronian¹ law was passed about Roman citizens, but that he who is an enemy of the republic can by no means be a citizen; and moreover that the very proposer of the Sempronian law suffered punishment by the command of the people. He also denies that Lentulus, a briber and a spendthrift, after he has formed such cruel and

¹ The Sempronian law was proposed by Caius Gracchus, B. C. 123, and enacted that the people only should decide respecting the life or civil condition of a citizen. It is alluded to also in the oration *Pro Rabirio* c. 4, where Cicero says, "Caius Gracchus passed a law that no decision should be come to about the life of a Roman citizen without your command," speaking to the *Quirites*.

bitter plans about the destruction of the Roman people, and the ruin of this city, can be called a friend of the people. Therefore this most gentle and merciful man does not hesitate to commit Publius Lentulus to eternal darkness and imprisonment, and establishes a law to all posterity that no one shall be able to boast of alleviating his punishment, or hereafter to appear a friend of the people to the destruction of the Roman people. He adds also the confiscation of their goods, so that want also and beggary may be added to all the torments of mind and body.

VI. Wherefore, if you decide on this you give me a companion in my address, dear and acceptable to the Roman people ; or if you prefer to adopt the opinion of Silanus, you will easily defend me and yourselves from the reproach of cruelty, and I will prevail that it shall be much lighter. Although, O conscript fathers, what cruelty can there be in chastising the enormity of such excessive wickedness ? For I decide from my own feeling. For so may I be allowed to enjoy the republic in safety in your company, as I am not moved to be somewhat vehement in this cause by any severity of disposition, (for who is more merciful than I am ?) but rather by a singular humanity and mercifulness. For I seem to myself to see this city, the light of the world, and the citadel of all nations, falling on a sudden by one conflagration. I see in my mind's eye miserable and unburied heaps of cities in my buried country ; the sight of Cethegus and his madness raging amid your slaughter is ever present to my sight. But when I have set before myself Lentulus reigning, as he himself confesses that he had hoped was his destiny, and this Gabinius arrayed in the purple, and Catiline arrived with his army, then I shudder at the lamentation of matrons, and the flight of virgins and of boys, and the insults of the vestal virgins ; and because these things appear to me exceedingly miserable and pitiable, therefore I show myself severe and rigorous to those who have wished to bring about this state of things. I ask, forsooth, if any father of a family, supposing his children had been slain by a slave, his wife murdered, his house burnt, were not to inflict on his slaves the severest possible punishment, would he appear clement and merciful, or most inhuman and cruel ? To me he would seem unnatural and hard-hearted who did not soothe his own pain and anguish by the pain and torture of the criminal. / And so we

in the case of these men who desired to murder us, and our wives, and our children,—who endeavoured to destroy the houses of every individual among us, and also the republic, the home of all,—who designed to place the nation of the Allobroges on the relics of this city, and on the ashes of the empire destroyed by fire ;—if we are very rigorous, we shall be considered merciful ; if we choose to be lax, we must endure the character of the greatest cruelty, to the damage of our country and our fellow-citizens.

Unless, indeed, Lucius¹ Cæsar, a thoroughly brave man, and of the best disposition towards the republic, seemed to any one to be too cruel three days ago, when he said that the husband of his own sister, a most excellent woman, (in his presence and in his hearing,) ought to be deprived of life,—when he said that his grandfather had been put to death by command of the consul, and his youthful son, sent as an ambassador by his father, had been put to death in prison. And what deed had they done like these men ? had they formed any plan for destroying the republic ? At that time great corruption was rife in the republic, and there was the greatest strife between parties. And, at that time, the grandfather of this Lentulus, a most illustrious man, put on his armour and pursued Gracchus ; he even received a severe wound that there might be no diminution of the great dignity of the republic. But this man, his grandson, invited the Gauls to overthrow the foundations of the republic ; he stirred up the slaves, he summoned Catiline, he distributed us to Cethegus to be massacred, and the rest of the citizens to Gabinius to be assassinated, the city he allotted to Cassius to burn, and the plundering and devastating of all Italy he assigned to Catiline. You fear, I think, lest in the case of such unheard-of and abominable wickedness you should seem to decide anything with too great severity ; when we ought much more to fear lest by being remiss in punishing we should appear cruel to our country, rather than appear by the severity of our irritation too rigorous to its most bitter enemies.

VII. But, O conscript fathers, I cannot conceal what I

¹ The brother-in-law of Lucius Cæsar was Marcus Fulvius, whose death, at the command of Opimius the consul, is referred to in the 2d cap. 1st Cat. He sent his son to the consul to treat for his surrender, whom Opimius sent back the first time, and forbade to return to him when he did return, he put him to death.

hear ; for sayings are bruited about, which come to my ears, of those men who seem to fear that I may not have force enough to put in execution the things which you determine on this day. Everything is provided for, and prepared, and arranged, O conscript fathers, both by my exceeding care and diligence, and also by the still greater zeal of the Roman people for the retaining of their supreme dominion, and for the preserving of the fortunes of all. All men of all ranks are present, and of all ages ; the forum is full, the temples around the forum are full, all the approaches to this place and to this temple are full. For this is the only cause that has ever been known since the first foundation of the city, in which all men were of one and the same opinion—except those, who, as they saw they must be ruined, preferred to perish in company with all the world rather than by themselves.

These men I except, and I willingly set them apart from the rest ; for I do not think that they should be classed in the number of worthless citizens, but in that of the most bitter enemies. But, as for the rest ; O ye immortal gods ! in what crowds, with what zeal, with what virtue do they agree in defence of the common dignity and safety. Why should I here speak of the Roman knights ? who yield to you the supremacy in rank and wisdom, in order to vie with you in love for the republic,—whom this day and this cause now reunite with you in alliance and unanimity with your body, reconciled after a disagreement of many years. And if we can preserve for ever in the republic this union now established in my consulship, I pledge myself to you that no civil and domestic calamity can hereafter reach any part of the republic. ✓ I see that the tribunes of the treasury—excellent men—have united with similar zeal in defence of the republic, and all the notaries.¹ For as this day had by chance brought them in crowds to the treasury, I see that they were diverted from an anxiety for the money due to them, from an expectation of their capital, to a regard for the common safety. The entire multitude of honest men, even the poorest, is present ; for who is there to whom these temples, the sight of the city, the possession of liberty,

¹ The notaries at Rome were in the pay of the state ; they were chiefly employed in making up the public accounts. In the time of Cicero it seems to have been lawful for any one to obtain the office of *scriba* by purchase, (see Cic. in Verr. ii. 79,) and freedmen and their sons frequently availed themselves of this privilege.

—in short, *this* light and this soil of his, common to us all, is not both dear and pleasant and delightful?

VIII. It is worth while, O conscript fathers, to know the inclinations of the freedmen; who, having by their good fortune obtained the rights of citizens, consider this to be really their country, which some who have been born here, and born in the highest rank, have considered to be not their own country, but a city of enemies. But why should I speak of men of this body whom their private fortunes, whom their common republic, whom, in short, that liberty which is most delightful has called forth to defend the safety of their country? There is no slave who is only in an endurable condition of slavery who does not shudder at the audacity of citizens, who does not desire that these things may stand, who does not contribute all the good-will that he can, and all that he dares, to the common safety.

Wherefore, if this consideration moves any one, that it has been heard that some tool of Lentulus is running about the shops,—is hoping that the minds of some poor and ignorant men may be corrupted by bribery; that, indeed, has been attempted and begun, but no one has been found either so wretched in their fortune or so abandoned in their inclination as not to wish the place of their seat and work and daily gain, their chamber and their bed, and, in short, the tranquil course of their lives, to be still preserved to them. And far the greater part of those who are in the shops,—ay, indeed, (for that is the more correct way of speaking,) the whole of this class is of all the most attached to tranquillity; their whole stock, forsooth, their whole employment and livelihood, exists by the peaceful intercourse of the citizens, and is wholly supported by peace. And if their gains are diminished whenever their shops are shut, what will they be when they are burnt? And, as this is the case, O conscript fathers, the protection of the Roman people is not wanting to you; do you take care that you do not seem to be wanting to the Roman people.

IX. You have a consul preserved out of many dangers and plots, and from death itself, not for his own life, but for your safety. All ranks agree for the preservation of the republic with heart and will, with zeal, with virtue, with their voice. Your common country, besieged by the hands and weapons of an impious conspiracy, stretches forth her hands to you as a suppliant; to you she recommends herself, to you she recom-

mends the lives of all the citizens, and the citadel, and the Capitol, and the altars of the household gods, and the eternal unextinguishable fire of Vesta, and all the temples of all the gods, and the altars and the walls and the houses of the city. Moreover, your own lives, those of your wives and children, the fortunes of all men, your homes, your hearths, are this day interested in your decision.

You have a leader mindful of you, forgetful of himself—an opportunity which is not always given to men ; you have all ranks, all individuals, the whole Roman people, (a thing which in civil transactions we see this day for the first time,) full of one and the same feeling. Think with what great labour this our dominion was founded, by what virtue this our liberty was established, by what kind favour of the gods our fortunes were aggrandized and ennobled, and how nearly one night destroyed them all. That this may never hereafter be able not only to be done, but not even to be thought of, you must this day take care. And I have spoken thus, not in order to stir you up who almost outrun me myself, but that my voice, which ought to be the chief voice in the republic, may appear to have fulfilled the duty which belongs to me as consul.

X. Now, before I return to the decision, I will say a few words concerning myself. As numerous as is the band of conspirators,—and you see that it is very great,—so numerous a multitude of enemies do I see that I have brought upon myself. But I consider them base and powerless and despicable and abject. But if at any time that band shall be excited by the wickedness and madness of any one, and shall show itself more powerful than your dignity and that of the republic, yet, O conscript fathers, I shall never repent of my actions and of my advice. Death, indeed, which they perhaps threaten me with, is prepared for all men ; such glory during life as you have honoured me with by your decrees no one has ever attained to. For you have passed votes of congratulation to others for having governed the republic successfully, but to me alone for having saved it.

Let Scipio be thought illustrious, he by whose wisdom and valour Hannibal was compelled to return into Africa, and to depart from Italy. Let the second Africanus be extolled with conspicuous praise, who destroyed two cities most hostile to this empire, Carthage and Numantia. Let Lucius Paullus be thought a great man, he whose triumphal car was graced

by Perses, previously a most powerful and noble monarch. Let Marius be held in eternal honour, who twice delivered Italy from siege, and from the fear of slavery. Let Pompey be preferred to them all—Pompey, whose exploits and whose virtues are bounded by the same districts and limits as the course of the sun. There will be, forsooth, among the praises of these men, some room for my glory, unless haply I be a greater deed to open to us provinces whither we may fly than to take care that those who are at a distance may, when conquerors, have a home to return to.

Although in one point the circumstances of foreign triumph are better than those of domestic victory; because foreign enemies, either if they be crushed become one's servants, or if they be received into the state, think themselves bound to us by obligation; but those of the number of citizens who become depraved by madness and once begin to be enemies to their country,—those men, when you have defeated their attempts to injure the republic, you can neither restrain by force nor conciliate by kindness. So that I see that an eternal war with all wicked citizens has been undertaken by me; which, however, I am confident can easily be driven back from me and mine by your aid, and by that of all good men, and by the memory of such great dangers, which will remain, not only among this people which has been saved, but in the discourse and minds of all nations for ever. Nor, in truth, can any power be found which will be able to undermine and destroy your union with the Roman knights, and such unanimity as exists among all good men.

XI. As, then, this is the case, O conscript fathers, instead of my military command,—instead of the army,—instead of the province¹ which I have neglected, and the other badges of honour which have been rejected by me for the sake of protecting the city and your safety,—in place of the ties of clientship and hospitality with citizens in the provinces, which, however, by my influence in the city, I study to preserve with as much toil as I labour to acquire them,—in place of all these things, and in reward for my singular zeal

¹ Cicero, in order to tempt Antonius to aid him in counteracting the treasonable designs of Catiline, had given up to him the province of Macedonia, which had fallen to his own lot; and having accepted that of Cisalpine Gaul in exchange for it, he gave that also to Quintus Metellus; being resolved to receive no emolument, directly or indirectly, from his consulship.

in your behalf, and for this diligence in saving the republic which you behold, I ask nothing of you but the recollection of this time and of my whole consulship. And as long as that is fixed in your minds, I shall think I am fenced round by the strongest wall. But if the violence of wicked men shall deceive and overpower my expectations, I recommend to you my little son, to whom, in truth, it will be protection enough, not only for his safety, but even for his dignity, if you recollect that he is the son of him who has saved all these things at his own single risk.

Wherefore, O conscript fathers, determine with care, as you have begun, and boldly, concerning your own safety, and that of the Roman people, and concerning your wives and children; concerning your altars and your hearths, your shrines and temples; concerning the houses and homes of the whole city; concerning your dominion, your liberty, and the safety of Italy and the whole republic. For you have a consul who will not hesitate to obey your decrees, and who will be able, as long as he lives, to defend what you decide on, and of his own power to execute it.¹

¹ This speech was spoken, and the criminals executed, on the fifth of December. But Catiline was not yet entirely overcome. He had with him, in Etruria two legions,—about twelve thousand men; of which, however, not above one quarter were regularly armed. For some time by marches and countermarches he eluded Antonius, but when the news reached his army of the fate of the rest of the conspirators, it began to desert him in great numbers. He attempted to escape into Gaul, but found himself intercepted by Metellus, who had been sent thither by Cicero with three legions. Antonius is supposed not to have been disinclined to connive at his escape, if he had not been compelled as it were by his quaestor Sextus and his lieutenant Petreius to force him to a battle, in which, however, Antonius himself, being ill of the gout, did not take the command, which devolved on Petreius, who after a severe action destroyed Catiline and his whole army, of which every man is said to have been slain in the battle.

THE SPEECH OF M. T. CICERO FOR AULUS LICINIUS
ARCHIAS, THE POET.

THE ARGUMENT.

Archias was a Greek poet, a native of Antioch, who came to Rome in the train of Lucullus, when Cicero was a child. He assumed the names of Aulus and Licinius, the last out of compliment to the Luculli, and Cicero had been for some time a pupil of his, and had retained a great regard for him. A man of the name of Gracchus now prosecuted him as a false pretender to the rights of a Roman citizen, according to the provisions of the *lex Papiria*. But Cicero contends that he is justified by that very law, for Archias before coming to Rome had stayed at Heraclea, a confederate city, and had been enrolled as a Heracleian citizen; and in the *lex Papiria* it was expressly provided that those who were on the register of any confederate city as its citizens, if they were residing in Italy at the time the law was passed, and if they made a return of themselves to the prætor within sixty days, were to be exempt from its operation. However, the greatest part of this oration is occupied, not in legal arguments, but in a panegyric on Archias, who is believed to have died soon afterwards; and he must have been a very old man at the time that it was spoken, as it was nearly forty years previously that he had first come to Rome.

I. If there be any natural ability in me, O judges,—and I know how slight that is; or if I have any practice as a speaker,—and in that line I do not deny that I have some

experience; or if I have any method in my oratory, drawn from my study of the liberal sciences, and from that careful training to which I admit that at no part of my life have I ever been disinclined; certainly, of all those qualities, this Aulus Licinius is entitled to be among the first to claim the benefit from me as his peculiar right. For as far as ever my mind can look back upon the space of time that is past, and recal the memory of its earliest youth, tracing my life from that starting-point, I see that Archias was the principal cause of my undertaking, and the principal means of my mastering, those studies. And if this voice of mine, formed by his encouragement and his precepts, has at times been the instrument of safety to others, undoubtedly we ought, as far as lies in our power, to help and save the very man from whom we have received that gift which has enabled us to bring help to many and salvation to some. And lest any one should, perchance, marvel at this being said by me, as the chief of his ability consists in something else, and not in this system and practice of eloquence, he must be told that even we ourselves have never been wholly devoted to this study. In truth, all the arts which concern the civilising and humanising of men, have some link which binds them together, and are, as it were, connected by some relationship to one another.

II. And, that it may not appear marvellous to any one of you, that I, in a formal proceeding like this, and in a regular court of justice, when an action is being tried before a prætor of the Roman people, a most eminent man, and before most impartial judges, before such an assembly and multitude of people as I see around me, employ this style of speaking, which is at variance, not only with the ordinary usages of courts of justice, but with the general style of forensic pleading; I entreat you in this cause to grant me this indulgence, suitable to this defendant, and as I trust not disagreeable to you,—the indulgence, namely, of allowing me, when speaking in defence of a most sublime poet and most learned man, before this concourse of highly-educated citizens, before this most polite and accomplished assembly, and before such a prætor as him who is presiding at this trial, to enlarge with a little more freedom than usual on the study of polite literature and refined arts, and, speaking in the character of such a man as that, who, owing to the tranquillity of his

life and the studies to which he has devoted himself, has but little experience of the dangers of a court of justice, to employ a new and unusual style of oratory. And if I feel that that indulgence is given and allowed me by you, I will soon cause you to think that this Aulus Licinius is a man who not only, now that he is a citizen, does not deserve to be expunged from the list of citizens, but that he is worthy, even if he were not one, of being now made a citizen.

III. For when first Archias grew out of childhood, and out of the studies of those arts by which young boys are gradually trained and refined, he devoted himself to the study of writing. First of all at Antioch, (for he was born there, and was of high rank there,) formerly an illustrious and wealthy city, and the seat of learned men and of liberal sciences; and there it was his lot speedily to show himself superior to all in ability and credit. Afterwards, in the other parts of Asia, and over all Greece, his arrival was so talked of wherever he came, that the anxiety with which he was expected was even greater than the fame of his genius; but the admiration which he excited when he had arrived, exceeded even the anxiety with which he was expected. Italy was at that time full of Greek science and of Greek systems, and these studies were at that time cultivated in Latium with greater zeal than they now are in the same towns; and here too at Rome, on account of the tranquil state of the republic at that time, they were far from neglected. Therefore, the people of Tarentum, and Rhegium, and Neapolis, presented him with the freedom of the city and with other gifts; and all men who were capable of judging of genius thought him deserving of their acquaintance and hospitality. When, from this great celebrity of his, he had become known to us though absent, he came to Rome, in the consulship of Marius and Catulus. It was his lot to have those men as his first consuls, the one of whom could supply him with the most illustrious achievements to write about, the other could give him, not only exploits to celebrate, but his ears and judicious attention. Immediately the Luculli, though Archias was as yet but a youth,¹ received him in their house. But it was not

¹ The Latin is *prætextatus*. Before he had exchanged the *prætexta* for the *toga virilis*. It has generally been thought that the age at which this exchange was made was seventeen, but Professor Long, the highest possible authority on all subjects of Latin literature, and

only to his genius and his learning, but also to his natural disposition and virtue, that it must be attributed that the house which was the first to be opened to him in his youth, is also the one in which he lives most familiarly in his old age. He at that time gained the affection of Quintus Metellus, that great man who was the conqueror of Numidia, and his son Pius. He was eagerly listened to by Marcus Æmilius; he associated with Quintus Catulus,—both with the father and the sons. He was highly respected by Lucius Crassus; and as for the Luculli, and Drusus, and the Octavii, and Cato, and the whole family of the Hortensii, he was on terms of the greatest possible intimacy with all of them, and was held by them in the greatest honour. For not only did every one cultivate his acquaintance who wished to learn or to hear anything, but even every one pretended to have such a desire.

IV. In the meantime, after a sufficiently long interval, having gone with Lucius Lucullus into Sicily, and having afterwards departed from that province in the company of the same Lucullus, he came to Heraclea. And as that city was one which enjoyed all the rights of a confederate city to their full extent, he became desirous of being enrolled as a citizen of it. And, being thought deserving of such a favour for his own sake, when aided by the influence and authority of Lucullus, he easily obtained it from the Heracleans. The freedom of the city was given him in accordance with the provisions of the law of Silvanus and Carbo: "If any men had been enrolled as citizens of the confederate cities, and if, at the time that the law was passed, they had a residence in Italy, and if within sixty days they had made a return of themselves to the prætor." As he had now had a residence at Rome for many years, he returned himself as a citizen to the prætor, Quintus Metellus, his most intimate friend. If especially on Roman law, says, (Smith, Dict. Ant. v. *Impubes*), "*The toga virilis* was assumed at the Liberalia in the month of March; and though no age appears to have been positively fixed for the ceremony, it probably took place, as a general rule, on the feast which next followed the completion of the fourteenth year, though it is certain that the completion of the fourteenth year was not always the time observed." Even supposing Archias to have been seventeen, it appears rather an early age for him to have established such a reputation as Cicero speaks of, and perhaps, as not being at that time a Roman citizen, he probably did not wear the *prætecta* at all; the expression is not to be taken literally, but we are merely to understand generally that he was quite a young man.

we have nothing else to speak about except the rights of citizenship and the law, I need say no more. The cause is over. For which of all these statements, O Gratius, can be invalidated? Will you deny that he was enrolled, at the time I speak of, as a citizen of Heraclea? There is a man present of the very highest authority, a most scrupulous and truthful man, Lucius Lucullus, who will tell you not that he thinks it, but that he knows it; not that he has heard of it, but that he saw it; not even that he was present when it was done, but that he actually did it himself. Deputies from Heraclea are present, men of the highest rank; they have come expressly on account of this trial, with a commission from their city, and to give evidence on the part of their city; and they say that he was enrolled as a Heracleian. On this you ask for the public registers of the Heracleians, which we all know were destroyed in the Italian war, when the register office was burnt. It is ridiculous to say nothing to the proofs which we have, but to ask for proofs which it is impossible for us to have; to disregard the recollection of men, and to appeal to the memory of documents; and when you have the conscientious evidence of a most honourable man, the oath and good faith of a most respectable municipality, to reject those things which cannot by any possibility be tampered with, and to demand documentary evidence, though you say at the same moment that that is constantly played tricks with. "But he had no residence at Rome." What, not he who for so many years before the freedom of the city was given to him, had established the abode of all his property and fortunes at Rome? "But he did not return himself." Indeed he did, and in that return which alone obtains with the college of prætors the authority of a public document.

V. For as the returns of Appius were said to have been kept carelessly, and as the trifling conduct of Gabinius, before he was convicted, and his misfortune after his condemnation, had taken away all credit from the public registers, Metellus, the most scrupulous and moderate of all men, was so careful, that he came to Lucius Lentulus, the prætor, and to the judges, and said that he was greatly vexed at an erasure which appeared in one name. In these documents, therefore, you will see no erasure affecting the name of Aulus Licinius. And as this is the case, what reason have you for doubting about his citizenship, especially as he was enrolled as a citizen of

other cities also? In truth, as men in Greece were in the habit of giving rights of citizenship to many men of very ordinary qualifications, and endowed with no talents at all, or with very moderate ones, without any payment, it is likely, I suppose, that the Rhegians, and Locrians, and Neapolitans, and Tarentines should have been unwilling to give to this man, enjoying the highest possible reputation for genius, what they were in the habit of giving even to theatrical artists. What, when other men, who not only after the freedom of the city had been given, but even after the passing of the Papian law, crept somehow or other into the registers of those municipalities, shall he be rejected who does not avail himself of those other lists in which he is enrolled, because he always wished to be considered a Heracleian? You demand to see our own censor's returns. I suppose no one knows that at the time of the last census he was with that most illustrious general, Lucius Lucullus, with the army; that at the time of the preceding one he was with the same man when he was in Asia as quæstor; and that in the census before that, when Julius and Crassus were censors, no regular account of the people was taken. But, since the census does not confirm the right of citizenship, but only indicates that he, who is returned in the census, did at that time claim to be considered as a citizen, I say that, at that time, when you say, in your speech for the prosecution, that he did not even himself consider that he had any claim to the privileges of a Roman citizen, he more than once made a will according to our laws, and he entered upon inheritances left him by Roman citizens; and he was made honourable mention of by Lucius Lucullus, both as prætor and as consul, in the archives kept in the treasury.

VI. You must rely wholly on what arguments you can find. For he will never be convicted either by his own opinion of his case, or by that which is formed of it by his friends.

You ask us, O Gratius, why we are so exceedingly attached to this man. Because he supplies us with food whereby our mind is refreshed after this noise in the forum, and with rest for our ears after they have been wearied with bad language. Do you think it possible that we could find a supply for our daily speeches, when discussing such a variety of matters unless we were to cultivate our minds by the study of literature; or that our minds could bear being kept so constantly

on the stretch if we did not relax them by that same study? But I confess that I am devoted to those studies; let others be ashamed of them if they have buried themselves in books without being able to produce anything out of them for the common advantage, or anything which may bear the eyes of men and the light. But why need I be ashamed, who for many years have lived in such a manner as never to allow my own love of tranquillity to deny me to the necessity or advantage of another, or my fondness for pleasure to distract, or even sleep to delay my attention to such claims? Who then can reproach me, or who has any right to be angry with me, if I allow myself as much time for the cultivation of these studies as some take for the performance of their own business, or for celebrating days of festival and games, or for other pleasures, or even for the rest and refreshment of mind and body, or as others devote to early banquets, to playing at dice, or at ball? And this ought to be permitted to me, because by these studies my power of speaking and those faculties are improved, which, as far as they do exist in me, have never been denied to my friends when they have been in peril. And if that ability appears to any one to be but moderate, at all events I know whence I derive those principles which are of the greatest value. For if I had not persuaded myself from my youth upwards, both by the precepts of many masters and by much reading, that there is nothing in life greatly to be desired, except praise and honour, and that while pursuing those things all tortures of the body, all dangers of death and banishment are to be considered but of small importance, I should never have exposed myself, in defence of your safety, to such numerous and arduous contests, and to these daily attacks of profligate men. But all books are full of such precepts, and all the sayings of philosophers, and all antiquity is full of precedents teaching the same lesson, but all these things would lie buried in darkness, if the light of literature and learning were not applied to them. How many images of the bravest men, carefully elaborated, have both the Greek and Latin writers bequeathed to us, not merely for us to look at and gaze upon, but also for our imitation! And I, always keeping them before my eyes as examples for my own public conduct, have endeavoured to model my mind and views by continually thinking of those excellent men.

VII. Some one will ask, "What? were those identical

great men, whose virtues have been recorded in books, accomplished in all that learning which you are extolling so highly?" It is difficult to assert this of all of them; but still I know what answer I can make to that question: I admit that many men have existed of admirable disposition and virtue, who, without learning, by the almost divine instinct of their own mere nature, have been, of their own accord, as it were, moderate and wise men. I even add this, that very often nature without learning has had more to do with leading men to credit and to virtue, than learning when not assisted by a good natural disposition. And I also contend, that when to an excellent and admirable natural disposition there is added a certain system and training of education, then from that combination arises an extraordinary perfection of character; such as is seen in that god-like man, whom our fathers saw in their time, Africanus; and in Caius Lælius and Lucius Furius, most virtuous and moderate men; and in that most excellent man, the most learned man of his time, Marcus Cato the elder; and all these men, if they had been to derive no assistance from literature in the cultivation and practice of virtue, would never have applied themselves to the study of it. Though, even if there were no such great advantage to be reaped from it, and if it were only pleasure that is sought from these studies, still I imagine you would consider it a most reasonable and liberal employment of the mind: for other occupations are not suited to every time, nor to every age or place; but these studies are the food of youth, the delight of old age; the ornament of prosperity, the refuge and comfort of adversity; a delight at home, and no hindrance abroad; they are companions by night, and in travel, and in the country.

VIII. And if we ourselves were not able to arrive at these advantages, nor even taste them with our senses, still we ought to admire them, even when we saw them in others. Who of us was so ignorant and brutal a disposition as not lately to be grieved at the death of Roscius? who, though he was an old man when he died, yet, on account of the excellence and beauty of his art, appeared to be one who on every account ought not to have died. Therefore, had he by the gestures of his body gained so much of our affections, and shall we disregard the incredible movements of the mind, and the rapid operations of genius? How often have I seen this

man Archias, O judges,—(for I will take advantage of your kindness, since you listen to me so attentively while speaking in this unusual manner,)—how often have I seen him, when he had not written a single word, repeat extempore a great number of admirable verses on the very events which were passing at the moment! How often have I seen him go back, and describe the same thing over again with an entire change of language and ideas! And what he wrote with care and with much thought, that I have seen admired to such a degree, as to equal the credit of even the writings of the ancients. Should not I, then, love this man? should I not admire him? should not I think it my duty to defend him in every possible way? And, indeed, we have constantly heard from men of the greatest eminence and learning, that the study of other sciences was made up of learning, and rules, and regular method; but that a poet was such by the unassisted work of nature, and was moved by the vigour of his own mind, and was inspired, as it were, by some divine wrath. Wherefore rightly does our own great Ennius call poets holy; because they seem to be recommended to us by some especial gift, as it were, and liberality of the gods. Let then, judges, this name of poet, this name which no barbarians even have ever disregarded, be holy in your eyes, men of cultivated minds as you all are. Rocks and deserts reply to the poet's voice; savage beasts are often moved and arrested by song; and shall we, who have been trained in the pursuit of the most virtuous acts, refuse to be swayed by the voice of poets? The Colophonians say that Homer was their citizen; the Chians claim him as theirs; the Salaminians assert their right to him; but the men of Smyrna loudly assert him to be a citizen of Smyrna, and they have even raised a temple to him in their city. Many other places also fight with one another for the honour of being his birth-place.

IX. They, then, claim a stranger, even after his death, because he was a poet; shall we reject this man while he is alive, a man who by his own inclination and by our laws does actually belong to us? especially when Archias has employed all his genius with the utmost zeal in celebrating the glory and renown of the Roman people? For when a young man, he touched on our wars against the Cimbri, and gained the favour even of Caius Marius himself, a man who was tolerably proof against this sort of study. For there was no one so

disinclined to the Muses as not willingly to endure that the praise of his labours should be made immortal by means of verse. They say that the great Themistocles, the greatest man that Athens produced, said, when some one asked him what sound or whose voice he took the greatest delight in hearing, "The voice of that by whom his own exploits were best celebrated." Therefore, the great Marius was also exceedingly attached to Lucius Plotius, because he thought that the achievement which he had performed could be celebrated by his genius. And the whole Mithridatic war, great and difficult as it was, and carried on with so much diversity of fortune by land and sea, has been related at length by him: and the books in which that is sung of, not only make illustrious Lucius Lucullus, that most gallant and celebrated man, but they do honour also to the Roman people. For, while Lucullus was general, the Roman people opened Pontus, though it was defended both by the resources of the king and by the character of the country itself. Under the same general the army of the Roman people, with no very great numbers, routed the countless hosts of the Armenians. It is the glory of the Roman people that, by the wisdom of that same general, the city of the Cyzicenes, most friendly to us, was delivered and preserved from all the attacks of the kind, and from the very jaws as it were of the whole war. Ours is the glory which will be for ever celebrated, which is derived from the fleet of the enemy which was sunk after its admirals had been slain, and from the marvellous naval battle off Tenedos: those trophies belong to us, those monuments are ours, those triumphs are ours. Therefore, I say that the men by whose genius these exploits are celebrated, make illustrious at the same time the glory of the Roman people. Our countryman, Ennius, was dear to the elder Africanus; and even on the tomb of the Scipios his effigy is believed to be visible, carved in the marble. But undoubtedly it is not only the men who are themselves praised who are done honour to by those praises, but the name of the Roman people also is adorned by them. Cato, the ancestor of this Cato, is extolled to the skies. Great honour is paid to the exploits of the Roman people. Lastly, all those great men, the Maximi, the Marcelli, and the Fulvii, are done honour to, not without all of us having also a share in the panegyric.

X. Therefore our ancestors received the man who was the cause of all this, a man of Rudiaë, into their city as a citizen ; and shall we reject from our city a man of Heraclea, a man sought by many cities, and made a citizen of ours by these very laws ?

For if any one thinks that there is a smaller gain of glory derived from Greek verses than from Latin ones, he is greatly mistaken, because Greek poetry is read among all nations, Latin is confined to its own natural limits, which are narrow enough. Wherefore, if those achievements which we have performed are limited only by the bounds of the whole world, we ought to desire that, wherever our vigour and our arms have penetrated, our glory and our fame should likewise extend. Because, as this is always an ample reward for those people whose achievements are the subject of writings, so especially is it the greatest inducement to encounter labours and dangers to all men who fight for themselves for the sake of glory. How many historians of his exploits is Alexander the Great said to have had with him ; and he, when standing on Cape Sigeum at the grave of Achilles, said,—“ O happy youth, to find Homer as the panegyrist of your glory ! ” And he said the truth ; for, if the Iliad had not existed, the same tomb which covered his body would have also buried his renown. What, did not our own Magnus, whose valour has been equal to his fortune, present Theophanes the Mitylenæan, a relater of his actions, with the freedom of the city in an assembly of the soldiers ? And those brave men, our countrymen, soldiers and country-bred men as they were, still being moved by the sweetness of glory, as if they were to some extent partakers of the same renown, showed their approbation of that action with a great shout. Therefore, I suppose, if Archias were not a Roman citizen according to the laws, he could not have contrived to get presented with the freedom of the city by some general ! Sylla, when he was giving it to the Spaniards and Gauls, would, I suppose, have refused him if he had asked for it ! a man whom we ourselves saw in the public assembly, when a bad poet of the common people had put a book in his hand, because he had made an epigram on him with every other verse too long, immediately ordered some of the things which he was selling at the moment to be given him as a reward, on condition of not writing anything more about him for the future. Would not he who

thought the industry of a bad poet still worthy of some reward, have sought out the genius, and excellence, and copiousness in writing of this man? What more need I say? Could he not have obtained the freedom of the city from Quintus Metellus Pius, his own most intimate friend, who gave it to many men, either by his own request, or by the intervention of the Lucilli? especially when Metellus was so anxious to have his own deeds celebrated in writing, that he gave his attention willingly to poets born even at Cordova, whose poetry had a very heavy and foreign flavour.

XI. For this should not be concealed, which cannot possibly be kept in the dark, but it might be avowed openly: we are all influenced by a desire of praise, and the best men are the most especially attracted by glory. Those very philosophers even in the books which they write about despising glory, put their own names on the title-page. In the very act of recording their contempt for renown and notoriety, they desire to have their own names known and talked of. Decimus Brutus, that most excellent citizen and consummate general, adorned the approaches to his temples and monuments with the verses of Attius. And lately that great man Fulvius, who fought with the Ætolians, having Ennius for his companion, did not hesitate to devote the spoils of Mars to the Muses. Wherefore, in a city in which generals, almost in arms, have paid respect to the name of poets and to the temples of the Muses, these judges in the garb of peace ought not to act in a manner inconsistent with the honour of the Muses and the safety of poets.

And that you may do that the more willingly, I will now reveal my own feelings to you, O judges, and I will make a confession to you of my own love of glory,—too eager perhaps, but still honourable. For this man has in his verses touched upon and begun the celebration of the deeds which we in our consulship did in union with you, for the safety of this city and empire, and in defence of the life of the citizens and of the whole republic. And when I had heard his commencement, because it appeared to me to be a great subject and at the same time an agreeable one, I encouraged him to complete his work. For virtue seeks no other reward for its labours and its dangers beyond that of praise and renown; and if that be denied to it, what reason is there, O judges, why in so small and brief a course of life as is allotted to us, we should

impose such labours on ourselves? Certainly, if the mind had no anticipations of posterity, and if it were to confine all its thoughts within the same limits as those by which the space of our lives is bounded, it would neither break itself with such severe labours, nor would it be tormented with such cares and sleepless anxiety, nor would it so often have to fight for its very life. At present there is a certain virtue in every good man, which night and day stirs up the mind with the stimulus of glory, and reminds it that all mention of our name will not cease at the same time with our lives, but that our fame will endure to all posterity.

XII. Do we all who are occupied in the affairs of the state, and who are surrounded by such perils and dangers in life, appear to be so narrow-minded, as, though to the last moment of our lives we have never passed one tranquil or easy moment, to think that everything will perish at the same time as ourselves? Ought we not, when many most illustrious men have with great care collected and left behind them statues and images, representations not of their minds but of their bodies, much more to desire to leave behind us a copy of our counsels and of our virtues, wrought and elaborated by the greatest genius? I thought, at the very moment of performing them, that I was scattering and disseminating all the deeds which I was performing, all over the world for the eternal recollection of nations. And whether that delight is to be denied to my soul after death, or whether, as the wisest men have thought, it will affect some portion of my spirit, at all events, I am at present delighted with some such idea and hope.

Preserve then, O judges, a man of such virtue as that of Archias, which you see testified to you not only by the worth of his friends, but by the length of time during which they have been such to him; and of such genius as you ought to think is his, when you see that it has been sought by most illustrious men. And his cause is one which is approved of by the benevolence of the law, by the authority of his municipality, by the testimony of Lucullus, and by the documentary evidence of Metellus. And as this is the case, we do entreat you, O judges, if there may be any weight attached, I will not say to human, but even to divine recommendation in such important matters, to receive under your protection that man who has at all times done honour to your generals and to the exploits of the Roman people,—who even in these recent

perils of our own, and in your domestic dangers, promises to give an eternal testimony of praise in our favour, and who forms one of that band of poets who have at all times and in all nations been considered and called holy, so that he may seem relieved by your humanity, rather than overwhelmed by your severity.

The things which, according to my custom, I have said briefly and simply, O judges, I trust have been approved by all of you. Those things which I have spoken, without regarding the habits of the forum or judicial usage, both concerning the genius of the man and my own zeal in his behalf, I trust have been received by you in good part. That they have been so by him who presides at this trial, I am quite certain.

THE SPEECH OF M. T. CICERO IN DEFENCE OF THE PROPOSED MANILIAN LAW

THE ARGUMENT.

In the year B.C. 67, Aulus Gabinius had obtained the passing of a decree by which Pompey was invested for three years with the supreme command over all the Mediterranean, and over all the coasts of that sea, to a distance of four hundred furlongs from the sea. And in this command he had acted with great vigour and with complete success: destroying all the pirates' strongholds, and distributing the men themselves as colonists among the inland towns of Asia Minor and Greece. After this achievement he did not return to Rome, but remained in Asia, making various regulations for the towns which he had conquered. . . .

During this period Lucullus had been prosecuting the war against Mithridates, and proceeding gradually in the reduction of Pontus; he had penetrated also into Mesopotamia, but had subsequently been distressed by seditions in his army, excited by Clodius, his brother-in-law: and these seditions had given fresh courage to Mithridates, who had fallen on Caius Triarius, one of his lieutenants, and routed his army with great slaughter. At the time that Pompey commenced his campaign against the pirates, the consul Marcus Aquillius Glabrio was sent to supersede Lucullus in his command; but he was perfectly incompetent to oppose Mithridates, who seemed likely with such an enemy to recover all the power of which Lucullus had deprived him. So in the year B.C. 66, while Glabrio was still in Bithynia, and Pompey in Asia Minor, Caius Manilius, a tribune of the people, brought forward a proposition, that, in addition to the command which Pompey already possessed, he should be invested with unlimited power in Bithynia, Pontus, and Armenia, for the purpose of conducting the war against Mithridates. The measure was strongly opposed by Catulus and by Hortensius, but it was supported by Cæsar, and by Cicero in the following speech, which is the first which he ever addressed to the people; and the proposition was carried.

I. **ALTHOUGH**, O Romans, your numerous assembly has always seemed to me the most agreeable body that any one can address, and this place, which is most honourable to plead in, has also seemed always the most distinguished place for delivering an oration in, still I have been prevented from trying this road to glory, which has at all times been entirely open

to every virtuous man, not indeed by my own will, but by the system of life which I have adopted from my earliest years. For as hitherto I have not dared, on account of my youth, to intrude upon the authority of this place, and as I considered that no arguments ought to be brought to this place except such as were the fruit of great ability, and worked up with the greatest industry, I have thought it fit to devote all my time to the necessities of my friends. And accordingly, this place has never been unoccupied by men who were defending your cause, and my industry, which has been virtuously and honestly employed about the dangers of private individuals, has received its most honourable reward in your approbation. For when, on account of the adjournment of the comitia, I was three times elected the first prætor by all the centuries, I easily perceived, O Romans, what your opinion of me was, and what conduct you enjoined to others. Now, when there is that authority in me which you, by conferring honours on me, have chosen that there should be, and all that facility in pleading which almost daily practice in speaking can give a vigilant man who has habituated himself to the forum, at all events, if I have any authority, I will employ it before those who have given it to me ; and if I can accomplish anything by speaking, I will display it to those men above all others, who have thought fit, by their decision, to confer honours on that qualification. And, above all things, I see that I have reason to rejoice on this account, that, since I am speaking in this place, to which I am so entirely unaccustomed, I have a cause to advocate in which eloquence can hardly fail any one ; for I have to speak of the eminent and extraordinary virtue of Cnæus Pompey ; and it is harder for me to find out how to end a discourse on such a subject, than how to begin one. So that what I have to seek for is not so much a variety of arguments, as moderation in employing them.

II. And, that my oration may take its origin from the same source from which all this cause is to be maintained ; an important war, and one perilous to your revenues and to your allies, is being waged against you by two most powerful kings, Mithridates and Tigranes. One of these having been left to himself, and the other having been attacked, thinks that an opportunity offers itself to him to occupy all Asia. Letters are brought from Asia every day to Roman knights, most honourable men, who have great property at stake.

which is all employed in the collection of your revenues ; and they, in consequence of the intimate connexion which I have with their order, have come to me and entrusted me with the task of pleading the cause of the republic, and warding off danger from their private fortunes. They say that many of the villages of Bithynia, which is at present a province belonging to you, have been burnt ; that the kingdom of Ariobarzanes, which borders on those districts from which you derive a revenue, is wholly in the power of the enemy ; that Lucullus, after having performed great exploits, is departing from that war ; that it is not enough that whoever succeeds him should be prepared for the conduct of so important a war ; that one general is demanded and required by all men, both allies and citizens, for that war ; that he alone is feared by the enemy, and that no one else is.

You see what the case is ; now consider what you ought to do. It seems to me that I ought to speak in the first place of the sort of war that exists ; in the second place, of its importance ; and lastly, of the selection of a general. The kind of war is such as ought above all others to excite and inflame your minds to a determination to persevere in it. It is a war in which the glory of the Roman people is at stake ; that glory which has been handed down to you from your ancestors, great indeed in everything, but most especially in military affairs. The safety of our friends and allies is at stake, in behalf of which your ancestors have waged many most important wars. The most certain and the largest revenues of the Roman people are at stake ; and if they be lost, you will be at a loss for the luxuries of peace, and the sinews of war. The property of many citizens is at stake, which you ought greatly to regard, both for your own sake, and for that of the republic.

III. And since you have at all times been covetous of glory and greedy of praise beyond all other nations, you have to wipe out that stain, received in the former Mithridatic War, which has now fixed itself deeply and eaten its way into the Roman name, the stain arising from the fact that he, who in one day marked down by one order, and one single letter, all the Roman citizens in all Asia, scattered as they were over so many cities, for slaughter and butchery, has not only never yet suffered any chastisement worthy of his wickedness, but now, twenty-three years after that time, is still a

king, and a king in such a way that he is not content to hide himself in Pontus, or in the recesses of Cappadocia, but he seeks to emerge from his hereditary kingdom, and to range among your revenues, in the broad light of Asia. Indeed up to this time your generals have been contending with the king so as to carry off tokens of victory rather than actual victory. Lucius Sylla has triumphed, Lucius Murena has triumphed over Mithridates, two most gallant men: and most consummate generals; but yet they have triumphed in such a way that he, though routed and defeated, was still king. Not but what praise is to be given to those generals for what they did. Pardon must be conceded to them for what they left undone; because the republic recalled Sylla from that war into Italy, and Sylla recalled Murena.

IV. But Mithridates employed all the time which he had left to him, not in forgetting the old war, but in preparing for a new one; and, after he had built and equipped very large fleets, and had got together mighty armies from every nation he could, and had pretended to be preparing war against the tribes of the Bosphorus, his neighbours, sent ambassadors and letters as far as Spain to those chiefs with whom we were at war at the time, in order that, as you would by that means have war waged against you in the two parts of the world the furthest separated and most remote of all from one another, by two separate enemies warring against you with one uniform plan, you, hampered by the double enmity, might find that you were fighting for the empire itself. However, the danger on one side, the danger from Sertorius and from Spain, which had much the most solid foundation and the most formidable strength, was warded off by the divine wisdom and extraordinary valour of Cnæus Pompeius. And on the other side of the empire, affairs were so managed by Lucius Lucullus, that most illustrious of men, that the beginning of all those achievements in those countries, great and eminent as they were, deserve to be attributed not to his good fortune but to his valour; but the latter events which have taken place lately, ought to be imputed not to his fault, but to his ill-fortune. However, of Lucullus I will speak hereafter, and I will speak, O Romans, in such a manner, that his true glory shall not appear to be at all disparaged by my pleading, nor, on the other hand, shall any undeserved credit seem to be given to him. At present, when we are

speaking of the dignity and glory of your empire, since that is the beginning of my oration, consider what feelings you think you ought to entertain.

V. Your ancestors have often waged war on account of their merchants and seafaring men having been injuriously treated. What ought to be your feelings when so many thousand Roman citizens have been put to death by one order and at one time? Because their ambassadors had been spoken to with insolence, your ancestors determined that Corinth, the light of all Greece, should be destroyed. Will you allow that king to remain unpunished, who has murdered a lieutenant of the Roman people of consular rank, having tortured him with chains and scourging, and every sort of punishment? They would not allow the freedom of Roman citizens to be diminished; will you be indifferent to their lives being taken? They avenged the privileges of our embassy when they were violated by a word; will you abandon an ambassador who has been put to death with every sort of cruelty? Take care lest, as it was a most glorious thing for them, to leave you such wide renown and such a powerful empire, it should be a most discreditable thing for you, not to be able to defend and preserve that which you have received. What more shall I say? Shall I say, that the safety of our allies is involved in the greatest hazard and danger? King Ariobarzanes has been driven from his kingdom, an ally and friend of the Roman people; two kings are threatening all Asia, who are not only most hostile to you, but also to your friends and allies. And every city throughout all Asia, and throughout all Greece, is compelled by the magnitude of the danger to put its whole trust in the expectation of your assistance. They do not dare to beg of you any particular general, especially since you have sent them another, nor do they think that they can do this without extreme danger. They see and feel this, the same thing which you too see and feel,—that there is one man in whom all qualities are in the highest perfection, and that he is near, (which circumstance makes it seem harder to be deprived of him,) by whose mere arrival and name, although it was a maritime war for which he came, they are nevertheless aware that the attacks of the enemy were retarded and repressed. They then, since they cannot speak freely, silently entreat you to think them (as you have thought your allies in the other provinces) worthy of having

their safety recommended to such a man ; and to think them worthy even more than others, because we often send men with absolute authority into such a province as theirs, of such character, that, even if they protect them from the enemy, still their arrival among the cities of the allies is not very different from an invasion of the enemy. They used to hear of him before, now they see him among them ; a man of such moderation, such mildness, such humanity, that those seem to be the happiest people among whom he remains for the longest time.

VI. Wherefore, if on account of their allies, though they themselves had not been roused by any injuries, your ancestors waged war against Antiochus, against Philip, against the Ætolians, and against the Carthaginians ; with how much earnestness ought you, when you yourselves have been provoked by injurious treatment, to defend the safety of the allies, and at the same time, the dignity of your empire ? especially when your greatest revenues are at stake. For the revenues of the other provinces, O Romans, are such that we can scarcely derive enough from them for the protection of the provinces themselves. But Asia is so rich and so productive, that in the fertility of its soil, and in the variety of its fruits, and in the vastness of its pasture lands, and in the multitude of all those things which are matters of exportation, it is greatly superior to all other countries. Therefore, O Romans, this province, if you have any regard for what tends to your advantage in time of war, and to your dignity in time of peace, must be defended by you, not only from all calamity, but from all fear of calamity. For in other matters when calamity comes on one, then damage is sustained ; but in the case of revenues, not only the arrival of evil, but the bare dread of it, brings disaster. For when the troops of the enemy are not far off, even though no actual irruption takes place, still the flocks are abandoned, agriculture is relinquished, the sailing of merchants is at an end. And accordingly, neither from harbour dues, nor from tenths, nor from the tax on pasture lands, can any revenue be maintained. And therefore it often happens that the produce of an entire year is lost by one rumour of danger, and by one alarm of war. What do you think ought to be the feelings of those who pay us tribute, or of those who get it in, and exact it, when two kings with very numerous armies are all but on the

spot? when one inroad of cavalry may in a very short time carry off the revenue of a whole year? when the publicans think that they retain the large households of slaves which they have in the salt-works, in the fields, in the harbours, and custom-houses, at the greatest risk? Do you think that you can enjoy these advantages unless you preserve those men who are productive to you, free not only, as I said before, from calamity, but even from the dread of calamity?

VII. And even this must not be neglected by you, which I had proposed to myself as the last thing to be mentioned, when I was to speak of the kind of war, for it concerns the property of many Roman citizens; whom you, as becomes your wisdom, O Romans, must regard with the most careful solicitude. The publicans,¹ most honourable and accomplished men, have taken all their resources and all their wealth into that province; and their property and fortunes ought, by themselves, to be an object of your especial care. In truth, if we have always considered the revenues as the sinews of the republic, certainly we shall be right if we call that order of men which collects them, the prop and support of all the other orders. In the next place, clever and industrious men, of all the other orders of the state, are some of them actually trading themselves in Asia, and you ought to show a regard for their interests in their absence; and others of them have large sums invested in that province. It will, therefore, become your humanity to protect a large number of those citizens from misfortune; it will become your wisdom to perceive that the misfortune of many citizens cannot be separated from the misfortune of the republic. In truth, firstly, it is of but little consequence for you afterwards to recover for the publicans revenues which have been once lost; for the same men have not afterwards the same power of contracting for them, and others have not the inclination, through fear. In the next place, that which the same Asia, and that same Mithridates taught us, at the beginning of the Asiatic war, that, at all events, we, having learnt by disaster, ought to keep in our recollection. For we know that then, when many had lost large fortunes in Asia, all credit failed at Rome, from payments being hindered. For it is not possible for many men to lose their property and fortunes in one city, without

¹ It has been said before that the publicans were taken almost exclusively from the equestrian order.

drawing many along with them into the same vortex of disaster. But do you now preserve the republic from this misfortune ; and believe me, (you yourselves see that it is the case,) this credit, and this state of the money-market which exists at Rome and in the forum, is bound up with, and is inseparable from, those fortunes which are invested in Asia. Those fortunes cannot fall without credit here being undermined by the same blow, and perishing along with them. Consider, then, whether you ought to hesitate to apply yourselves with all zeal to that war, in which the glory of your name, the safety of your allies, your greatest revenues, and the fortunes of numbers of your citizens, will be protected at the same time as the republic.

VIII. Since I have spoken of the description of war, I will now say a few words about its magnitude. For this may be said of it,—that it is a kind of war so necessary, that it must absolutely be waged, and yet not one of such magnitude as to be formidable. And in this we must take the greatest care that those things do not appear to you contemptible which require to be most diligently guarded against. And that all men may understand that I give Lucius Lucullus all the praise that is due to a gallant man, and most wise¹ man, and to a most consummate general, I say that when he first arrived in Asia, the forces of Mithridates were most numerous, well appointed, and provided with every requisite ; and that the finest city in Asia, and the one, too, that was most friendly to us, the city of Cyzicus, was besieged by the king in person, with an enormous army, and that the siege had been pressed most vigorously, when Lucius Lucullus, by his valour, and perseverance, and wisdom, relieved it from the most extreme danger. I say that he also, when General, defeated and destroyed that great and well-appointed fleet, which the chiefs of Sertorius's party were leading against Italy with furious zeal ; I say besides, that by him numerous armies of the enemy were destroyed in several battles, and that Pontus was opened to our legions, which before his time had been closed against the Roman people on every side ; and that

¹ The Latin is, "*forti viro, et sapientissimo homini*," and this opposition of *vir* and *homo* is not uncommon in Cicero's orations. "*Homo* is nearly synonymous with *vir*, but with this distinction, that *homo* is used of a man considered as an intellectual and moral being,—namely, where personal qualities are to be denoted ; whereas *vir* signifies a man in his relations to the state."—Biddle, Lat. Dict. v. *Homo*.

Sinope and Amisus, towns in which the king had palaces, adorned and furnished with every kind of magnificence, and many other cities of Pontus and Cappadocia, were taken by his mere approach and arrival near them; that the king himself was stripped of the kingdom possessed by his father and his grandfather, and forced to betake himself as a suppliant to other kings and other nations; and that all these great deeds were achieved without any injury to the allies of the Roman people, or any diminution of its revenues. I think that this is praise enough;—such praise that you must see, O Romans, that Lucius Lucullus has not been praised as much from this rostrum by any one of these men who are objecting to this law and arguing against our cause.

IX. Perhaps now it will be asked, how, when all this has been already done, there can be any great war left behind. I will explain this, O Romans; for this does not seem an unreasonable question. At first Mithridates fled from his kingdom, as Medea is formerly said to have fled from the same region of Pontus; for they say that she, in her flight, strewed about the limbs of her brother in those places along which her father was likely to pursue her, in order that the collection of them, dispersed as they were, and the grief which would afflict his father, might delay the rapidity of his pursuit. Mithridates, flying in the same manner, left in Pontus the whole of the vast quantity of gold and silver, and of beautiful things which he had inherited from his ancestors, and which he himself had collected and brought into his own kingdom, having obtained them by plunder in the former war from all Asia. While our men were diligently occupied in collecting all this, the king himself escaped out of their hands. And so grief retarded the father of Medea in his pursuit, but delight delayed our men. In this alarm and flight of his, Tigranes, the king of Armenia, received him, encouraged him while despairing of his fortunes, gave him new spirit in his depression, and recruited with new strength his powerless condition. And after Lucius Lucullus arrived in his kingdom, very many tribes were excited to hostilities against our general. For those nations which the Roman people never had thought either of attacking in war or tampering with, had been inspired with fear. There was, besides, a general opinion which had taken deep root, and had spread over all the barbarian tribes in those districts,

that our army had been led into those countries with the object of plundering a very wealthy and most religiously worshipped temple. And so, many powerful nations were roused against us by a fresh dread and alarm. But our army, although it had taken a city of Tigranes's kingdom, and had fought some successful battles, still was out of spirits at its immense distance from Rome, and its separation from its friends. At present I will not say more; for the result of these feelings of theirs was, that they were more anxious for a speedy return home than for any further advance into the enemies' country. But Mithridates had by this time strengthened his army by reinforcements of those men belonging to his own dominions who had assembled together, and by large promiscuous forces belonging to many other kings and tribes. And we see that this is almost invariably the case, that kings when in misfortune easily induce many to pity and assist them, especially such as are either kings themselves, or who live under kingly power, because to them the name of king appears something great and sacred. And accordingly he, when conquered, was able to accomplish what, when he was in the full enjoyment of his powers, he never dared even to wish for. For when he had returned to his kingdom, he was not content (though that had happened to him beyond all his hopes) with again setting his foot on that land after he had been expelled from it; but he even volunteered an attack on your army, flushed as it was with glory and victory. Allow me, in this place, O Romans, (just as poets do who write of Roman affairs,) to pass over our disaster, which was so great that it came to Lucius Lucullus's ears, not by means of a messenger despatched from the scene of action, but through the report of common conversation. At the very time of this misfortune,—of this most terrible disaster in the whole war, Lucius Lucullus, who might have been able, to a great extent, to remedy the calamity, being compelled by your orders, because you thought, according to the old principle of your ancestors, that limits ought to be put to length of command, discharged a part of his soldiers who had served their appointed time, and delivered over part to Glabrio. I pass over many things designedly; but you yourselves can easily conjecture how important you ought to consider that war which most powerful kings are uniting in,—which disturbed nations are renewing,—which nations,

whose strength is unimpaired, are undertaking, and which a new general of yours has to encounter after a veteran army has been defeated.

X. I appear to have said enough to make you see why this war is in its very nature unavoidable, in its magnitude dangerous. It remains for me to speak of the general who ought to be selected for that war, and appointed to the management of such important affairs.

I wish, O Romans, that you had such an abundance of brave and honest men, that it was a difficult subject for your deliberations, whom you thought most desirable to be appointed to the conduct of such important affairs, and so vast a war. But now, when there is Cnæus Pompeius alone, who has exceeded in valour, not only the glory of these men who are now alive, but even all recollections of antiquity, what is there that, in this case, can raise a doubt in the mind of any one? For I think that these four qualities are indispensable in a great general,—knowledge of military affairs, valour, authority and good fortune. Who, then, ever was, or ought to have been, better acquainted with military affairs than this man? who, the moment that he left school and finished his education as a boy, at a time when there was a most important war going on, and most active enemies were banded against us, went to his father's army and to the discipline of the camp; who, when scarcely out of his boyhood, became a soldier of a consummate general,—when entering on manhood, became himself the general of a mighty army; who has been more frequently engaged with the enemy, than any one else has ever disputed with an adversary; who has himself, as general, conducted more wars than other men have read of; who has subdued more provinces than other men have wished for; whose youth was trained to the knowledge of military affairs, not by the precepts of others, but by commanding himself,—not by the disasters of war, but by victories,—not by campaigns, but by triumphs. In short, what description of war can there be in which the fortune of the republic has not given him practice? Civil war, African war, Transalpine war, Spanish war, promiscuous war of the most warlike cities and nations, servile war, naval war, every variety and diversity of wars and of enemies, has not only been encountered by this one man, but encountered victoriously; and these exploits show plainly that there is no circumstance

in military practice which can elude the knowledge of this man.

XI. But now, what language can be found equal to the valour of Cnæus Pompeius? What statement can any one make which shall be either worthy of him, or new to you, or unknown to any one? For those are not the only virtues of a general which are usually thought so,—namely, industry in business, fortitude amid dangers, energy in acting, rapidity in executing, wisdom in foreseeing; which all exist in as great perfection in that one man as in all the other generals put together whom we have either seen or heard of. Italy is my witness, which that illustrious conqueror himself, Lucius Sylla, confessed had been delivered by this man's valour and ready assistance. Sicily is my witness, which he released when it was surrounded on all sides by many dangers, not by the dread of his power, but by the promptitude of his wisdom. Africa is my witness, which, having been overwhelmed by numerous armies of enemies, overflowed with the blood of those same enemies. Gaul is my witness, through which a road into Spain was laid open to our legions by the destruction of the Gauls. Spain is my witness, which has repeatedly seen our many enemies there defeated and subdued by this man. Again and again, Italy is my witness, which, when it was weighed down by the disgraceful and perilous servile war, entreated aid from this man, though he was at a distance; and that war, having dwindled down and wasted away at the expectation of Pompeius, was destroyed and buried by his arrival. But now, also every coast, all foreign nations and countries, all seas, both in their open waters and in every bay, and creek, and harbour, are my witnesses. For during these last years, what place in any part of the sea had so strong a garrison as to be safe from him? what place was so much hidden as to escape his notice? Who ever put to sea without being aware that he was committing himself to the hazard of death or slavery, either from storms or from the sea being crowded with pirates? Who would ever have supposed that a war of such extent, so mean, so old a war, a war so extensive in its theatre and so widely scattered, could have been terminated by all our generals put together in one year, or by one general in all the years of his life? In all these later years what province have you had free from pirates? what revenue has been safe? what ally

have you been able to protect? to whom have your fleets been any defence? How many islands do you suppose have been deserted? how many cities of the allies do you think have been either abandoned out of fear of the pirates, or have been taken by them?

XII. But why do I speak of distant events? It was—it was, indeed, formerly—a characteristic of the Roman people to carry on its wars at a distance from home, and to defend by the bulwarks of its power not its own homes, but the fortunes of its allies. Need I say, that the sea has during all these latter years been closed against your allies, when even our own armies never ventured to cross over from Brundisium, except in the depth of winter? Need I complain that men who were coming to you from foreign nations were taken prisoners, when even the ambassadors of the Roman people were forced to be ransomed? Need I say, that the sea was not safe for merchants, when twelve axes¹ came into the power of the pirates? Need I mention, how Cnidus, and Colophon, and Samos, most noble cities, and others too in countless numbers, were taken by them, when you know that your own harbours, and those harbours too from which you derive, as it were, your very life and breath, were in the power of the pirates? Are you ignorant that the harbour of Caieta, that illustrious harbour, when full of ships, was plundered by the pirates under the very eyes of the prætor? and that from Misenum, the children of the very man who had before that waged war against the pirates in that place, were carried off by the pirates? For why should I complain of the disaster of Ostia, and of that stain and blot on the republic, when almost under your very eyes, that fleet which was under the command of a Roman consul was taken and destroyed by the pirates? O ye immortal gods! could the incredible and godlike virtue of one man in so short a time bring so much light to the republic, that you who had lately been used to see a fleet of the enemy before the mouth of the Tiber, should now hear that there is not one ship belonging to the pirates on this side of the Atlantic? And although you have seen with what rapidity these things were done, still that rapidity ought not to be passed over by me in speaking of

¹ The Scholiast says that a consul named Milienus (whose name, however, does not appear in the *Fasti*) was taken prisoner by the pirates, and sold with his ensigns of office. The axes mean his fasces.

them.—For who ever, even if he were only going for the purpose of transacting business or making profit, contrived in so short a time to visit so many places, and to perform such long journeys, with as great celerity as Cnæus Pompeius has performed his voyage, bearing with him the terrors of war as our general? He, when the weather could hardly be called open for sailing, went to Sicily, explored the coasts of Africa; from thence he came with his fleet to Sardinia, and these three great granaries of the republic he fortified with powerful garrisons and fleets; when, leaving Sardinia, he came to Italy, having secured the two Spains and Cisalpine Gaul with garrisons and ships. Having sent vessels also to the coast of Illyricum, and to every part of Achaia and Greece, he also adorned the two seas of Italy with very large fleets, and very sufficient garrisons; and he himself going in person, added all Cilicia to the dominions of the Roman people, on the forty-ninth day after he set out from Brundisium. All the pirates who were anywhere to be found, were either taken prisoners and put to death, or else had surrendered themselves voluntarily to the power and authority of this one man. Also, when the Cretans had sent ambassadors to implore his mercy even into Pamphylia to him, he did not deny them hopes of being allowed to surrender, and he exacted hostages from them. And thus Cnæus Pompeius at the end of winter prepared, at the beginning of spring undertook, and by the middle of summer terminated, this most important war, which had lasted so long, which was scattered in such distant and such various places, and by which every nation and country was incessantly distressed.

XIII. This is the godlike and incredible virtue of that general. What more shall I say? How many and how great are his other exploits which I began to mention a short time back; for we are not only to seek for skill in war in a consummate and perfect general, but there are many other eminent qualities which are the satellites and companions of this virtue. And first of all, how great should be the incorruptibility of generals! How great should be their moderation in everything! how perfect their good faith! How universal should be their affability! how brilliant their genius! how tender their humanity! And let us briefly consider to what extent these qualities exist in Cnæus Pompeius. For they are all of the highest importance, O Romans,

but yet they are to be seen and ascertained more by comparison with the conduct of others than by any display which they make of themselves. For how can we rank a man among generals of any class at all, if centurionships¹ are sold, and have been constantly sold in his army? What great or honourable thoughts can we suppose that that man cherishes concerning the republic, who has either distributed the money which was taken from the treasury for the conduct of the war among the magistrates, out of ambition² to keep his province, or, out of avarice, has left it behind him at Rome, invested for his own advantage? Your murmurs show, O Romans, that you recognise, in my description, men who have done these things. But I name no one, so that no one can be angry with me, without making confession beforehand of his own malpractices. But who is there who is ignorant what terrible distresses our armies suffer wherever they go, through this covetousness of our generals? Recollect the marches which, during these latter years, our generals have made in Italy, through the lands and towns of the Roman citizens; then you will more easily imagine what is the course pursued among foreign nations. Do you think that of late years more cities of the enemy have been destroyed by the arms of your soldiers, or more cities of your own allies by their winter campaigns? For that general who does not restrain himself can never restrain his army; nor can he be strict in judging others who is unwilling for others to be strict in judging him. Do we wonder now that this man should be so far superior to all others, when his legions arrived in Asia in such order that not only no man's hand in so numerous an army, but not even any man's footstep was said to have done the least injury to any peaceful inhabitant? But now we have daily rumours—ay, and letters too—brought to Rome about the way in which the soldiers are behaving in their winter quarters; not only is no one compelled to spend money on the entertainment of the troops, but he is not permitted to do so, even if he wish. For our ancestors thought fit that the houses of our allies and

¹ The Scholiast says that Cicero is here hinting at Glabrio the consul, or at the younger Marius.

² Lucullus is supposed to be meant here, as it is said that he had employed large sums in soliciting the votes of influential men, so as to be left in command of the province of Asia, in which he had amassed enormous riches.

friends should be a shelter to our soldiers from the winter, not a theatre for the exercise of their avarice.

XIV. Come now, consider also what moderation he has displayed in other matters also. How was it, do you suppose, that he was able to display that excessive rapidity, and to perform that incredible voyage? For it was no unexampled number of rowers, no hitherto unknown skill in navigation, no new winds, which bore him so swiftly to the most distant lands; but those circumstances which are wont to delay other men did not delay him. No avarice turned him aside from his intended route in pursuit of some plunder or other; no lust led him away in pursuit of pleasure; no luxury allured him to seek its delights; the illustrious reputation of no city tempted him to make its acquaintance; even labour did not turn him aside to seek rest. Lastly, as for the statues, and pictures, and other embellishments of Greek cities, which other men think worth carrying away, he did not think them worthy even of a visit from him. And, therefore, every one in those countries looks upon Cnæus Pompeius as some one descended from heaven, not as some one sent out from this city. Now they begin to believe that there really were formerly Romans of the same moderation; which hitherto has seemed to foreign nations a thing incredible, a false and ridiculous tradition. Now the splendour of your dominion is really brilliant in the eyes of those nations. Now they understand that it was not without reason that, when we had magistrates of the same moderation, their ancestors preferred being subject to the Roman people to being themselves lords of other nations. But now the access of all private individuals to him is so easy, their complaints of the injuries received from others are so little checked, that he who in dignity is superior to the noblest men, in affability seems to be on a par with the meanest. How great his wisdom is, how great his authority and fluency in speaking,—and that too is a quality in which the dignity of a general is greatly concerned,—you, O Romans, have often experienced yourselves in this very place. But how great do you think his good faith must have been towards your allies, when the enemies of all nations have placed implicit confidence in it? His humanity is such that it is difficult to say, whether the enemy feared his valour more when fighting against him, or loved his mildness more when they had been conquered by him. And will any one doubt,

that this important war ought to be entrusted to him, who seems to have been born by some especial design and favour of the gods for the express purpose of finishing all the wars which have existed in their own recollection?

XV. And since authority has great weight in conducting wars, and in discharging the duties of military command, it certainly is not doubtful to any one that in that point this same general is especially preeminent. And who is ignorant that it is of great importance in the conduct of wars, what opinion the enemy, and what opinion the allies have of your generals, when we know that men are not less influenced in such serious affairs, to despise, or fear, or hate, or love a man by common opinion and common report, than by sure grounds and principles? What name, then, in the whole world has ever been more illustrious than his? whose achievements have ever been equal to his? And, what gives authority in the highest degree, concerning whom have you ever passed such numerous and such honourable resolutions? Do you believe that there is anywhere in the whole world any place so desert that the renown of that day has not reached it, when the whole Roman people, the forum being crowded, and all the adjacent temples from which this place can be seen being completely filled,—the whole Roman people, I say, demanded Cnæus Pompeius alone as their general in the war in which the common interests of all nations were at stake? Therefore, not to say more on the subject, nor to confirm what I say by instances of others as to the influence which authority has in war, all our instances of splendid exploits in war must be taken from this same Cnæus Pompeius. The very day that he was appointed by you commander-in-chief of the maritime war, in a moment such a cheapness of provisions ensued, (though previously there had been a great scarcity of corn, and the price had been exceedingly high,) owing to the hope conceived of one single man, and his high reputation, as could scarcely have been produced by a most productive harvest after a long period of peace. Now, too, after the disaster which befel us in Pontus, from the result of that battle, of which, sorely against my will, I just now reminded you, when our allies were in a state of alarm, when the power and spirits of our enemies had risen, and the province was in a very insufficient state of defence, you would have entirely lost Asia, O Romans, if the

fortune of the Roman people had not, by some divine interposition, brought Cnæus Pompeius at that particular moment into those regions. His arrival both checked Mithridates, elated with his unusual victory, and delayed Tigranes, who was threatening Asia with a formidable army. And can any one doubt what he will accomplish by his valour, when he did so much by his authority and reputation? or how easily he will preserve our allies and our revenues by his power and his army, when he defended them by the mere terror of his name?

XVI. Come, now; what a great proof does this circumstance afford us of the influence of the same man on the enemies of the Roman people, that all of them, living in countries so far distant from us and from each other, surrendered themselves to him alone in so short a time? that the ambassadors of the Cretans, though there was at the time a general¹ and an army of ours in their island, came almost to the end of the world to Cnæus Pompeius, and said, all the cities of the Cretans were willing to surrender themselves to him? What did Mithridates himself do? Did he not send an ambassador into Spain to the same Cnæus Pompeius? a man whom Pompeius has always considered an ambassador, but who that party, to whom it has always been a source of annoyance that he was sent to him particularly, have contended was sent as a spy rather than as an ambassador. You can now, then, O Romans, form an accurate judgment how much weight you must suppose that this authority of his—now, too, that it has been further increased by many subsequent exploits, and by many commendatory resolutions of your own—will have with those kings and among foreign nations.

It remains for me timidly and briefly to speak of his good fortune, a quality which no man ought to boast of in his own case, but which we may remember and commemorate as happening to another, just as a man may extol the power of the gods. For my judgment is this, that very often commands have been conferred upon, and armies have been entrusted to Maximus, to Marcellus, to Scipio, to Marius, and to other great generals, not only on account of their valour, but also on account of their good fortune. For there has

¹ Metellus, afterwards called Creticus, from his victory over the Cretans.

been, in truth, in the case of some most illustrious men, good fortune added as some contribution of the gods to their honour and glory, and as a means of performing mighty achievements. But concerning the good fortune of this man of whom we are now speaking, I will use so much moderation as not to say that good fortune was actually placed in his power, but I will so speak as to appear to remember what is past, to have good hope of what is to come ; so that my speech may, on the one hand, not appear to the immortal gods to be arrogant, nor, on the other hand, to be ungrateful. Accordingly, I do not intend to mention, O Romans, what great exploits he has achieved both at home and in war, by land and by sea, and with what invariable felicity he has achieved them ; how, not only the citizens have always consented to his wishes,—the allies complied with them,—the enemy obeyed them, but how even the winds and weather have seconded them. I will only say this, most briefly,—that no one has ever been so impudent as to dare in silence to wish for so many and such great favours as the immortal gods have showered upon Cnæus Pompeius. And that this favour may continue his, and be perpetual, you, O Romans, ought to wish and pray (as, indeed, you do), both for the sake of the common safety and prosperity, and for the sake of the man himself.

Wherefore, as the war is at the same time so necessary that it cannot be neglected, so important that it must be conducted with the greatest care ; and since you have it in your power to appoint a general to conduct it, in whom there is the most perfect knowledge of war, the most extraordinary valour, the most splendid personal influence, and the most eminent good fortune, can you hesitate, O Romans, to apply this wonderful advantage which is offered you and given you by the immortal gods, to the preservation and increase of the power of the republic ?

XVII. But, if Cnæus Pompeius were a private individual at Rome at this present time, still he would be the man who ought to be selected and sent out to so great a war. But now, when to all the other exceeding advantages of the appointment, this opportunity is also added,—that he is in those very countries already,—that he has an army with him,—that there is another army there which can at once be made over to him by those who are in command

of it,—why do we delay? or why do we not, under the guidance of the immortal gods themselves, commit this royal war also to him to whom all the other wars in those parts have been already entrusted to the greatest advantage, to the very safety of the republic?

But to be sure, that most illustrious man, Quintus Catulus, a man most honestly attached to the republic, and loaded with your kindness in a way most honourable to him; and also Quintus Hortensius, a man endowed with the highest qualities of honour, and fortune, and virtue, and genius, disagree to this proposal. And I admit that their authority has in many instances had the greatest weight with you, and that it ought to have the greatest weight; but in this cause, although you are aware that the opinions of many very brave and illustrious men are unfavourable to us, still it is possible for us, disregarding those authorities, to arrive at the truth by the circumstances of the case and by reason. And so much the more easily, because those very men admit that everything which has been said by me up to this time is true,—that the war is necessary, that it is an important war, and that all the requisite qualifications are in the highest perfection in Cnæus Pompeius. What, then, does Hortensius say? “That if the whole power must be given to one man, Pompeius alone is most worthy to have it; but that, nevertheless, the power ought not to be entrusted to one individual.” That argument, however, has now become obsolete, having been refuted much more by facts than by words. For you, also, Quintus Hortensius, said many things with great force and fluency (as might be expected from your exceeding ability, and eminent facility as an orator) in the senate against that brave man, Aulus Gabinius, when he had brought forward the law about appointing one commander-in-chief against the pirates; and also from this place where I now stand, you made a long speech against that law. What then? By the immortal gods, if your authority had had greater weight with the Roman people than the safety and real interests of the Roman people itself, should we have been this day in possession of our present glory, and of the empire of the whole earth? Did this, then, appear to you to be dominion, when it was a common thing for the ambassadors, and prætors, and quæstors of the Roman people to be taken prisoners? when we were cut off from all

supplies, both public and private, from all our provinces? when all the seas were so closed against us, that we could neither visit any private estate of our own, nor any public domain beyond the sea?

XVIII. What city ever was there before this time,—I speak not of the city of the Athenians, which is said formerly to have had a sufficiently extensive naval dominion; nor of that of the Carthaginians, who had great power with their fleet and maritime resources; nor of those of the Rhodians, whose naval discipline and naval renown has lasted even to our recollection,—but was there ever any city before this time so insignificant; if it was only a small island, as not to be able by its own power to defend its harbours, and its lands, and some part of its country and maritime coast? But, forsooth, for many years before the Gabinian law was passed, the Roman people, whose name, till within our own memory, remained invincible in naval battles, was deprived not only of a great, aye, of much the greatest part of its usefulness, but also of its dignity and dominion. We, whose ancestors conquered with our fleets Antiochus the king, and Perses, and in every naval engagement defeated the Carthaginians, the best practised and best equipped of all men in maritime affairs; we could now in no place prove ourselves equal to the pirates. We, who formerly had not only all Italy in safety, but who were able by the authority of our empire to secure the safety of all our allies in the most distant countries, so that even the island of Delos, situated so far from us in the *Ægean* sea, at which all men were in the habit of touching with their merchandise and their freight, full of riches as it was, little and unwalled as it was, still was in no alarm; we, I say, were cut off, not only from our provinces, and from the sea-coast of Italy, and from our harbours, but even from the Appian road; and at this time, the magistrates of the Roman people were not ashamed to come up into this very rostrum where I am standing, which your ancestors had bequeathed to you adorned with nautical trophies, and the spoils of the enemy's fleet.

XIX. When you opposed that law, the Roman people, O Quintus Hortensius, thought that you, and the others who held the same opinion with you, delivered your sentiments in a bold and gallant spirit. But still, in a matter affecting the safety of the commonwealth, the Roman people preferred consulting

its own feelings of indignation to your authority. Accordingly, one law, one man, and one year, delivered us not only from that misery and disgrace, but also caused us again at length to appear really to be the masters of all nations and countries by land and sea. And on this account the endeavour to detract, shall I say from Gabinus, or from Pompeius, or (what would be truer still) from both? appears to me particularly unworthy; being done in order that Aulus Gabinus might not be appointed lieutenant to Cnæus Pompeius, though he requested and begged it. Is he who begs for a particular lieutenant in so important a war unworthy to obtain any one whom he desires, when all other generals have taken whatever lieutenants they chose, to assist them in pillaging the allies and plundering the provinces? or ought he, by whose law safety and dignity has been given to the Roman people, and to all nations, to be prevented from sharing in the glory of that commander and that army, which exists through his wisdom and was appointed at his risk? Was it allowed to Caius Falcidius, to Quintus Metellus, to Quintus Cælius Laterensis, and to Cnæus Lentulus, all of whom I name to do them honour, to be lieutenants the year after they had been tribunes of the people; and shall men be so exact in the case of Gabinus alone, who, in this war which is carried on under the provisions of the Gabinian law, and in the case of this commander and this army which he himself appointed with your assistance, ought to have the first right of any one? And concerning whose appointment as lieutenant I hope that the consuls will bring forward a motion in the senate; and if they hesitate, or are unwilling to do so, I undertake to bring it forward myself; nor, O Romans, shall the hostile edict of any one deter me from relying on you and defending your privileges and your kindness. Nor will I listen to anything except the interposition of the tribunes; and as to that, those very men who threaten it, will, I apprehend, consider over and over again what they have a right to do. In my own opinion, O Romans, Aulus Gabinus alone has a right to be put by the side of Cnæus Pompeius as a partner of the glory of his exploits in the maritime war; because the one, with the assistance of your votes, gave to that man alone the task of undertaking that war, and the other, when it was entrusted to him, undertook it and terminated it.

XX. It remains for me to speak of the authority and opinion of Quintus Catulus; who, when he asked of you, if you thus placed all your dependence on Cnæus Pompeius, in whom you would have any hope, if anything were to happen to him, received a splendid reward for his own virtue and worth, when you all, with almost one voice, cried out that you would, in that case, put your trust in him. In truth he is such a man, that no affair can be so important, or so difficult, that he cannot manage it by his wisdom, or defend it by his integrity, or terminate it by his valour. But, in this case, I entirely differ from him; because, the less certain and the less lasting the life of man is, the more ought the republic to avail itself of the life and valour of any admirable man, as long as the immortal gods allow it to do so. But let no innovation be established contrary to the precedents and principles of our ancestors.—I will not say, at this moment, that our ancestors in peace always obeyed usage, but in war were always guided by expediency, and always accommodated themselves with new plans to the new emergencies of the times. I will not say that two most important wars, the Punic war and the Spanish war, were put an end to by one general; that two most powerful cities, which threatened the greatest danger to this empire—Carthage and Numantia, were destroyed by the same Scipio. I will not remind you that it was but lately determined by you and by your ancestors, to rest all the hopes of the empire on Caius Marius, so that the same man conducted the war against Jugurtha, and against the Cimbri, and against the Teutones. But recollect, in the case of Cnæus Pompeius himself, with reference to whom Catulus objects to having any new regulations introduced, how many new laws have been made with the most willing consent of Quintus Catulus.

XXI. For what can be so unprecedented as for a young man in a private capacity to levy an army at a most critical time of the republic? He levied one.—To command it? He did command it.—To succeed gloriously in his undertaking? He did succeed. What can be so entirely contrary to usage, as for a very young man, whose age¹ fell far short of that required

¹ “As regards the age at which a person might become a senator, we have no express statement for the time of the republic, although it appears to have been fixed by some custom or law, as the *ætas senatoria* is frequently mentioned, especially during the latter period of the republic; but we may by induction discover the probable age. We know that according to the law of the tribune Villius the age fixed for the

for the rank of a senator, to have a command and an army entrusted to him? to have Sicily committed to his care, and Africa, and the war which was to be carried on there? He conducted himself in these provinces with singular blamelessness, dignity, and valour; he terminated a most serious war in Africa, and brought away his army victorious. But what was ever so unheard-of as for a Roman knight to have a triumph? But even that circumstance the Roman people not only saw, but they thought that it deserved to be thronged to and honoured with all possible zeal. What was ever so unusual, as, when there were two most gallant and most illustrious consuls, for a Roman knight to be sent as proconsul to a most important and formidable war? He was so sent—on which occasion, indeed, when some one in the senate said that a private individual ought not to be sent as proconsul, Lucius Philippus is reported to have answered, that if he had his will he should be sent not for one consul, but for both the consuls. Such great hope was entertained that the affairs of the republic would be prosperously managed by him, that the charge which properly belonged to the two consuls was entrusted to the valour of one young man. What was ever so extraordinary as for a man to be released from all laws by a formal resolution of the senate, and made consul before he was of an age to undertake any other magistracy according to the laws? What could be so incredible, as for a Roman knight to celebrate a second triumph in pursuance of a resolution of the senate? All the unusual circumstances which in the memory of man have ever happened to all other men put together, are not so many as these which we see have occurred in the history of this one man. And all these instances, numerous, important, and novel as they are, have all occurred in the case of the same man, taking their rise in the authority of Quintus Catulus himself, and by that of other most honourable men of the same rank.

XXII. Wherefore, let them take care that it is not considered a most unjust and intolerable thing, that their authority in matters affecting the dignity of Cnæus Pompeius quæstorship was thirty-one. Now as it might happen that a quæstor was made a senator immediately after the expiration of his office, we may presume that the earliest age at which a man could become a senator was thirty-two. Augustus at last fixed the senatorial age at twenty-five, which appears to have remained unaltered throughout the time of the empire."—Smith, Dict. Ant. p. 851, v. *Senatus*,

should hitherto have been constantly approved of by you, but that your judgment, and the authority of the Roman people in the case of the same man, should be disregarded by them. Especially when the Roman people can now, of its own right, defend its own authority with respect to this man against all who dispute it.—because, when those very same men objected, you chose him alone of all men to appoint to the management of the war against the pirates. If you did this at random, and had but little regard for the interests of the republic, then they are right to endeavour to guide your party spirit by their wisdom; but if you at that time showed more foresight in the affairs of the state than they did: if you, in spite of their resistance, by yourselves conferred dignity on the empire, safety on the whole world; then at last let those noble men confess that both they and all other men must obey the authority of the universal Roman people. And in this Asiatic and royal war, not only is that military valour required, which exists in a singular degree in Cnæus Pompeius, but many other great virtues of mind are also demanded. It is difficult for your commander-in-chief in Asia, Cilicia, Syria, and all the kingdoms of the inland nations, to behave in such a manner as to think of nothing else but the enemy and glory. Then, even if there be some men moderate and addicted to the practice of modesty and self-government, still, such is the multitude of covetous and licentious men, that no one thinks that these are such men. It is difficult to tell you, O Romans, how great our unpopularity is among foreign nations, on account of the injurious and licentious behaviour of those whom we have of late years sent among them with military command. For, in all those countries which are now under our dominion, what temple do you think has had a sufficiently holy reputation, what city has been sufficiently sacred, what private house has been sufficiently closed and fortified, to be safe from them? They seek out wealthy and splendid cities to find pretence for making war on them for the sake of plundering them. I would willingly argue this with those most eminent and illustrious men, Quintus Catulus and Quintus Hortensius; for they know the distresses of the allies, they see their calamities, they hear their complaints. Do you think that you are sending an army in defence of your allies against their enemies, or rather, under pretence of the existence of enemies, against

your allies and friends themselves? What city is there in Asia which can stand the ferocity and arrogance, I will not say of the army, of a commander-in-chief, or of a lieutenant, but of even the brigade of one single military tribune?

XXIII. So that even if you have any one who may appear able to cope in terms of advantage with the king's armies, still, unless he be also a man who can keep his hands, and eyes, and desires from the treasures of the allies, from their wives and children, from the ornaments of their temples and cities, from the gold and jewels of the king, he will not be a fit person to be sent to this Asiatic and royal war. Do you think that there is any city there peacefully inclined towards us which is rich? Do you think that there is any rich city there, which will appear to those men to be peacefully inclined towards us? The sea-coast, O Romans, begged for Cnæus Pompeius, not only on account of his renown for military achievements, but also because of the moderation of his disposition. For it saw that it was not the Roman people that was enriched every year by the public money, but only a few individuals, and that we did nothing more by the name of our fleets beyond sustaining losses, and so covering ourselves with additional disgrace. But now, are these men, who think that all these honours and offices are not to be conferred on one person, ignorant with what desires, with what hope of retrieving past losses, and on what conditions, these men go to the provinces? As if Cnæus Pompeius did not appear great in our eyes, not only on account of his own positive virtues, but by a comparison with the vices of others. And, therefore, do not you doubt to entrust everything to him alone, when he has been found to be the only man for many years whom the allies are glad to see come to their cities with an army. And if you think that our side of the argument, O Romans, should be confirmed by authorities, you have the authority of Publius Servilius, a man of the greatest skill in all wars, and in affairs of the greatest importance, who has performed such mighty achievements by land and sea, that, when you are deliberating about war, no one's authority ought to have more weight with you. You have the authority of Caius Curio, a man who has received great kindnesses from you, who has performed great exploits, who is endued with the highest abilities and wisdom; and of Cnæus Lentulus, in whom all of you know there is (as, indeed, there ought to be

from the ample honours which you have heaped upon him) the most eminent wisdom, and the greatest dignity of character ; and of Caius Cassius, a man of extraordinary integrity, and valour, and virtue. Consider, therefore, whether we do not seem by the authority of these men to give a sufficient answer to the speeches of those men who differ from us.

XXIV. And as this is the case, O Caius Manilius, in the first place, I exceedingly praise and approve of that law of yours, and of your purpose, and of your sentiments. And in the second place, I exhort you, having the approbation of the Roman people, to persevere in those sentiments, and not to fear the violence or threats of any one. And, first of all, I think you have the requisite courage and perseverance ; and, secondly, when we see such a multitude present displaying such zeal in our cause as we now see displayed for the second time, in appointing the same man to the supreme command. how can we doubt in the matter, or question our power of carrying our point ? As for me, all the zeal, and wisdom, and industry, and ability of which I am possessed, all the influence which I have through the kindness shown for me by the Roman people, and through my power as prætor, as also, through my reputation for authority, good faith, and virtue, all of it I pledge to you and the Roman people, and devote to the object of carrying this resolution. And I call all the gods to witness, and especially those who preside over this place and temple, who see into the minds of all those who apply themselves to affairs of state, that I am not doing this at the request of any one, nor because I think to conciliate the favour of Cnæus Pompeius by taking this side, nor in order, through the greatness of any one else, to seek for myself protection against dangers, or aids in the acquirement of honours ; because, as for dangers, we shall easily repel them, as a man ought to do, protected by our own innocence ; and as for honours, we shall not gain them by the favour of any men, nor by anything that happens in this place, but by the same laborious course of life which I have hitherto adopted, if your favourable inclination assists me. Wherefore, whatever I have undertaken in this cause, O Romans. I assure you that I have undertaken wholly for the sake of the republic ; and I am so far from thinking that I have gained by it the favour of any influential man, that I know, on the other hand, that I have brought on myself many enmities, some secret, some undis-

guised, which I never need have incurred, and which yet wil' not be mischievous to you. But I have considered that I, invested with my present honours, and loaded with so many kindnesses from you, ought to prefer your inclination, and the dignity of the republic, and the safety of our provinces and allies, to all considerations of my own private interest.

THE SPEECH OF M. T. CICERO IN BEHALF OF MARCUS CLAUDIUS MARCELLUS.

THE ARGUMENT.

Marcus Claudius Marcellus was descended from the most illustrious families at Rome, and had been consul with Servius Sulpicius Rufus ; in which office he had given great offence to Cæsar by making a motion in the senate to deprive him of his command ; and in the civil war he espoused the side of Pompeius, and had been present at the battle of Pharsalia, after which he retired to Lesbos. But after some time the whole senate interceded with Cæsar to pardon him, and to allow him to return to his country. And when he yielded to their entreaties, Cicero made the following speech, thanking Cæsar for his magnanimity ; though he had, as he says himself, (*Ep. Fam. iv. 4.*) determined to say nothing ; but he was afraid that if he continued silent Cæsar would interpret it as a proof that he despaired of the republic.

Cæsar, though he saw the senate unanimous in their petition for Marcellus, yet had the motion for his pardon put to the vote, and called for the opinion of every individual senator on it. Cicero appears at this time to have believed that Cæsar intended to restore the republic, as he mentions in his letters, (*Ep. Fam. xiii. 68.*)

I. THIS day, O conscript fathers, has brought with it an end to the long silence in which I have of late indulged ; not out of any fear, but partly from sorrow, partly from modesty ; and at the same time it has revived in me my ancient habit of saying what my wishes and opinions are. For I cannot by any means pass over in silence such great humanity, such unprecedented and unheard-of clemency, such moderation in the exercise of supreme and universal power, such incredible and almost godlike wisdom. For now that Marcus Marcellus, O conscript fathers, has been restored to you and the republic, I think that not only his voice and authority are preserved and restored to you and to the republic, but my own also.

For I was concerned, O conscript fathers, and most exceedingly grieved, when I saw such a man as he is, who had espoused the same cause which I myself had, not enjoying the same good fortune as myself ; nor was I able to persuade my-

self to think it right or fair that I should be going on in my usual routine, while that rival and imitator of my zeal and labours, who had been a companion and comrade of mine throughout, was separated from me. Therefore, you, O Caius Cæsar, have reopened to me my former habits of life, which were closed up, and you have raised, as it were, a standard to all these men, as a sort of token to lead them to entertain hopes of the general welfare of the republic. For it was seen by me before in many instances, and especially in my own, and now it is clearly understood by everybody, since you have granted Marcus Marcellus to the senate and people of Rome, in spite of your recollection of all the injuries you have received at his hands, that you prefer the authority of this order and the dignity of the republic to the indulgence of your own resentment or your own suspicions.

He, indeed, has this day reaped the greatest possible reward for the virtuous tenor of his previous life ; in the great unanimity of the senate in his favour, and also in your own most dignified and important opinion of him. And from this you, in truth, must perceive what great credit there is in conferring a kindness, when there is such glory to be got even by receiving one. And he, too, is fortunate whose safety is now the cause of scarcely less joy to all other men than it will be to himself when he is informed of it. And this honour has deservedly and most rightfully fallen to his lot. For who is superior to him either in nobleness of birth, or in honesty, or in zeal for virtuous studies, or in purity of life, or in any description whatever of excellence.

II. No one is blessed with such a stream of genius, no one is endowed with such vigour and richness of eloquence, either as a speaker or as a writer, as to be able, I will not say to extol, but even, O Caius Cæsar, plainly to relate all your achievements. Nevertheless, I assert, and with your leave I maintain, that in all of them you never gained greater and truer glory than you have acquired this day. I am accustomed often to keep this idea before my eyes, and often to affirm in frequent conversations, that all the exploits of our own generals, all those of foreign nations and of most powerful states, all the mighty deeds of the most illustrious monarchs, can be compared with yours neither in the magnitude of your wars, nor in the number of your battles, nor in the variety of

countries which you have conquered, nor in the rapidity of your conquests, nor in the great difference of character with which your wars have been marked ; and that those countries the most remote from each other could not be travelled over more rapidly by any one in a journey, than they have been visited by your, I will not say journeys, but victories.

And if I were not to admit, that those actions are so great that scarcely any man's mind or comprehension is capable of doing justice to them, I should be very senseless. But there are other actions greater than those. For some people are in the habit of disparaging military glory, and of denying the whole of it to the generals, and of giving the multitude a share of it also, so that it may not be the peculiar property of the commanders. And, no doubt, in the affairs of war, the valour of the troops, the advantages of situation, the assistance of allies, fleets, and supplies, have great influence ; and a most important share in all such transactions, Fortune claims for herself, as of her right ; and whatever has been done successfully she considers almost entirely as her own work.

But in this glory, O Caius Cæsar, which you have just earned, you have no partner. The whole of this, however great it may be,—and surely it is as great as possible,—the whole of it, I say, is your own. The centurion can claim for himself no share of that praise, neither can the prefect, nor the battalion, nor the squadron. Nay, even that very mistress of all human affairs, Fortune herself, cannot thrust herself into any participation in that glory ; she yields to you ; she confesses that it is all your own, your peculiar private desert. For rashness is never united with wisdom, no is chance ever admitted to regulate affairs conducted with prudence.

III. You have subdued nations, savage in their barbarism, countless in their numbers, boundless, if we regard the extent of country peopled by them, and rich in every kind of resource ; but still you were only conquering things, the nature and condition of which was such that they could be overcome by force. For there is no strength so great that it cannot be weakened and broken by arms and violence. But to subdue one's inclinations, to master one's angry feelings, to be moderate in the hour of victory, to not merely raise from the ground a prostrate adversary, eminent for noble birth, for genius, and for virtue, but even to increase his previous dignity,—they are

actions of such a nature, that the man who does them, I do not compare to the most illustrious man, but I consider equal to God.

Therefore, O Caius Cæsar, those military glories of yours will be celebrated not only in our own literature and language, but in those of almost all nations ; nor is there any age which will ever be silent about your praises. But still, deeds of that sort, somehow or other, even when they are read, appear to be overwhelmed with the cries of the soldiers and the sound of the trumpets. But when we hear or read of anything which has been done with clemency, with humanity, with justice, with moderation, and with wisdom, especially in a time of anger, which is very adverse to prudence, and in the hour of victory, which is naturally insolent and haughty, with what ardour are we then inflamed, (even if the actions are not such as have really been performed, but are only fabulous,) so as often to love those whom we have never seen ! But as for you, whom we behold present among us, whose mind, and feelings, and countenance, we at this moment see to be such, that you wish to preserve everything which the fortune of war has left to the republic, oh with what praises must we extol you ? with what zeal must we follow you ? with what affection must we devote ourselves to you ? The very walls, I declare, the very walls of this senate-house appear to me eager to return you thanks ; because, in a short time, you will have restored their ancient authority to this venerable abode of themselves and of their ancestors.

IV. In truth, O conscript fathers, when I just now, in common with you, beheld the tears of Caius Marcellus, a most virtuous man, endowed with a never-to-be-forgotten affection for his brother, the recollection of all the Marcelli presented itself to my heart. For you, O Cæsar, have, by preserving Marcus Marcellus, restored their dignity even to those Marcelli who are dead, and you have saved that most noble family, now reduced to a small number, from perishing. You, therefore, justly prefer this day to all the splendid and innumerable congratulations which at different times have been addressed to you. For this exploit is your own alone ; the other achievements which have been performed by you as general, were great indeed, but still they were performed by the agency of a great and numerous band of comrades. But in this exploit

you are the general, and you are your own sole comrade : and the act itself is such that no lapse of time will ever put an end to your monuments and trophies ; for there is nothing which is wrought by manual labour which time will not sometime or other impair or destroy ; but this justice and lenity of yours will every day grow brighter and brighter, so that, in proportion as time takes away from the effect of your deed, in the same degree it will add to your glory. And you had already surpassed all other conquerors in civil wars, in equity, and clemency, but this day you have surpassed even yourself. I fear that this which I am saying cannot, when it is only heard, be understood as fully as I myself think and feel it ; you appear to have surpassed victory itself, since you have remitted in favour of the conquered those things which victory had put in your power. For though, by the conditions of the victory itself, we who were conquered were all ruined, we still have been preserved by the deliberate decision of your clemency. You, therefore, deserve to be the only man who is never conquered, since you conquer the conditions and the violent privileges of victory itself.

V. And, O conscript fathers, remark how widely this decision of Caius Cæsar extends. For by it, all of us who, under the compulsion of some miserable and fatal destiny of the republic, were driven to take up arms as we did, though we are still not free from the fault of having erred as men may, are at all events released from all imputation of wickedness. For when, at your entreaty, he preserved Marcus Marcellus to the republic, he, at the same time, restored me to myself and to the republic though no one entreated him in my favour, and he restored all the other most honourable men who were in the same case to ourselves and to their country ; whom you now behold in numbers and dignity present in this very assembly. He has not brought his enemies into the senate-house ; but he has decided that the war was undertaken by most of them rather out of ignorance, and because of some ungrounded and empty fear, than out of either any depraved desires or cruelty.

And in that war, I always thought it right to listen to all proposals that gave any hope of peace, and I always grieved, that not only peace, but that even the language of those citizens who asked for peace, should be rejected. For I never approved of either that or of any civil war whatever ; and my

counsels were always allied to peace and peaceful measures, not to war and arms. I followed the man from my own private feelings, not because of my judgment of his public conduct; and the faithful recollection of the grateful disposition which I cherish had so much influence with me, that though I had not only no desire for victory, but no hope even of it, I rushed on, knowingly, and with my eyes open, as it were to a voluntary death. And, indeed, my sentiments in the matter were not at all concealed; for in this assembly, before any decisive steps were taken either way, I said many things in favour of peace, and even while the war was going on I retained the same opinions, even at the risk of my life. And from this fact, no one will form so unjust an opinion as to doubt what Cæsar's own inclination respecting the war was, when, the moment that it was in his power, he declared his opinion in favour of saving the advisers of peace, but showed his anger against the others. And, perhaps, that was not very strange at a time when the event of the war was still uncertain, and its fortune still undecided. But he who, when victorious, attaches himself to the advisers of peace, plainly declares that he would have preferred having no war at all even to conquering.

VI. And in this matter I myself am a witness in favour of Marcus Marcellus. For as our opinions have at all times agreed in time of peace, so did they then in respect of that war. How often have I seen him affected with the deepest grief at the insolence of certain men, and dreading also the ferocity of victory! On which account your liberality, O Caius Cæsar, ought to be more acceptable to us who have seen those things. For now we may compare, not the causes of the two parties together, but the use which each would have made of victory. We have seen your victory terminated at once by the result of your battles; we have seen no sword unsheathed in the city. The citizens whom we have lost were stricken down by the force of Mars, not by evil feelings let loose by

¹ Cicero was not present at the battle of Pharsalia, but remained at Dyrrachium, vexed at his advice being totally disregarded. Cato also remained at Dyrrachium. When Labienus brought them the news of Pompey's defeat, Cato offered Cicero the command, as the superior in dignity; and Plutarch relates, that on his refusal of it, young Pompey was so enraged, that he would have killed him on the spot if Cato had not prevented him. And this is what Middleton (who quotes the sentence in the text) thinks that Cicero is alluding to here.

victory ; so that no man can doubt that Caius Cæsar would even raise many from the dead if that were possible, since he does preserve all those of that army that he can.

But of the other party I will say no more than what we were all afraid of at the time, namely, that theirs would have been too angry a victory. For some of them were in the habit of indulging in threats not only against those of their enemies who were in arms, but even against those who remained quiet ; and they used to say that the matter to be considered was not what each man had thought, but where he had been. So that it appears to me that the immortal gods, even if they were inflicting punishment on the Roman people for some offence, when they stirred up so serious and melancholy a civil war, are at length appeased, or at all events satiated, and have now made all our hopes of safety depend on the clemency and wisdom of the conqueror.

Rejoice, then, in that admirable and virtuous disposition of yours ; and enjoy not only your fortune and glory, but also your own natural good qualities, and amiable inclinations and manners ; for those are the things which produce the greatest fruit and pleasure to a wise man. When you call to mind your other achievements, although you will often congratulate yourself on your valour, still you will often have reason to thank your good fortune also. But as often as you think of us whom you have chosen to live safely in the republic as well as yourself, you will be thinking at the same time of your own exceeding kindness, of your own incredible liberality, of your own unexampled wisdom ; qualities which I will venture to call not only the greatest, but the only real blessings. For there is so much splendour in genuine glory, so much dignity in magnanimity and real practical wisdom, that these qualities appear to be given to a man by virtue, while all other advantages seem only lent to him by fortune.

Be not wearied then in the preservation of virtuous men ; especially of those who have fallen, not from any evil desires, or depravity of disposition, but merely from an opinion of their duty,—a foolish and erroneous one perhaps, but certainly not a wicked one,—and because they were misled by imaginary claims which they fancied the republic had on them. For it is no fault of yours if some people were afraid of you ; and, on the other hand, it is your greatest praise that they have now felt that they had no reason to fear you.

VII. But now I come to those severe complaints, and to those most terrible suspicions that you have given utterance to ; of dangers which should be guarded against not more by you yourself than by all the citizens, and most especially by us who have been preserved by you. And although I trust that the suspicion is an ungrounded one, still I will not speak so as to make light of it. For caution for you is caution for ourselves. So that, if we must err on one side or the other, I would rather appear too fearful, than not sufficiently prudent. But still, who is there so frantic ? Any one of your own friends ? And yet who are more your friends than those to whom you have restored safety which they did not venture to hope for ? Any one of that number who were with you ? It is not credible that any man should be so insane as not to prefer the life of that man who was his general when he obtained the greatest advantages of all sorts, to his own. But if your friends have no thoughts of wickedness, need you take precautions lest your enemies may be entertaining such ? Who are they ? For all those men who were your enemies have either already lost their lives through their obstinacy, or else have preserved them through your mercy ; so that either none of your enemies survive or those who do survive are your most devoted friends.

But still, as there are so many hiding places and so many dark corners in men's minds, let us increase your suspicions, for by so doing we shall at the same time increase your diligence. For who is there so ignorant of everything, so very new to the affairs of the republic, so entirely destitute of thought either for his own or for the general safety, as not to understand that his own safety is bound up with yours ? that the lives of all men depend on your single existence ? I myself, in truth, while I think of you day and night,—as I ought to do,—fear only the chances to which all men are liable, and the uncertain events of health and the frail tenure of our common nature, and I grieve that, while the republic ought to be immortal, it depends wholly on the life of one mortal man. But if to the chances of human life and the uncertain condition of man's health there were to be added also any conspiracy of wickedness and treachery, then what god should we think able to assist the republic, even if he were to desire to do so ?

VIII. All things, O Caius Cæsar, which you now see lying

stricken and prostrate—as it was inevitable that they should be—through the violence of war, must now be raised up again by you alone. The courts of justice must be re-established, confidence must be restored, licentiousness must be repressed, the increase of population must be encouraged, everything which has become lax and disordered must be braced up and strengthened by strict laws. In so vast a civil war, when there was such ardour of feeling and of warlike preparation on both sides, it was impossible but that—whatever the ultimate result of the war might be—the republic which had been violently shaken by it should lose many ornaments of its dignity and many bulwarks of its security, and that each general should do many things while in arms, which he would have forbidden to have been done while clad in the garb of peace. And all those wounds of war thus inflicted now require your attention, and there is no one except you who is able to heal them. Therefore, I was concerned when I heard that celebrated and wise saying of yours, “I have lived long enough to satisfy either nature or glory.” Sufficiently long, if you please, for nature, and I will add, if you like, for glory ; but, which is of the greatest consequence of all, certainly not long enough for your country.

Give up then, I entreat you, that wisdom of learned men shown in their contempt of death ; do not be wise at our expense. For it has often come to my ears that you are in the habit of using that expression much too frequently—that you have lived long enough for yourself. I dare say you have ; but I could only be willing to hear you say so if you lived for yourself alone, or if you had been born for yourself alone. But as it is,—as your exploits have brought the safety of all the citizens and the entire republic to a dependence on you,—you are so far from having completed your greatest labours, that you have not even laid the foundations which you design to lay. And will you then limit your life, not by the welfare of the republic, but by the tranquillity of your own mind ? What will you do, if that is not even sufficient for your glory, of which—wise man though you be—you will not deny that you are exceedingly desirous ? “Is it then,” you will say, “but small glory that we shall leave behind us ?” It may, indeed, be sufficient for others, however many they may be, and insufficient for you alone. For whatever it is, however ample it may be, it certainly is insufficient, as long as

there is anything greater still. And if, O Caius Cæsar, this was to be the result of your immortal achievements, that after conquering all your enemies, you were to leave the republic in the state in which it now is ; then beware, I beg of you, lest your virtue should earn admiration rather than solid glory ; since the glory which is illustrious and which is celebrated abroad, is the fame of many and great services done either to one's own friends, or to one's country, or to the whole race of mankind.

IX. This, then, is the part which remains to you ; this is the cause which you have before you ; this is what you must now labour at,—to settle the republic, and to enjoy it yourself, as the first of its citizens, in the greatest tranquillity and peacefulness. And then, if you please, when you have discharged the obligations which you owe to your country, and when you have satisfied nature herself with the devotion of your life, then you may say that you have lived long enough. For what is the meaning of this very word “long” when applied to what has an end? And when the end comes, then all past pleasure is to be accounted as nothing, because there is none to come after it. Although that spirit of yours has never been content with this narrow space which nature has afforded us to live in ; but has always been inflamed with a desire of immortality. Nor is this to be considered your life which is contained in your body and in your breath. That,—that, I say, is your life, which will flourish in the memory of all ages ; which posterity will cherish ; which eternity itself will always preserve. This is what you must be subservient to ; it is to this that you ought to display yourself ; which indeed has long ago had many actions of yours to admire, and which now is expecting some which it may also praise.

Unquestionably, posterity will stand amazed when they hear and read of your military commands,—of the provinces which you have added to the empire,—of the Rhine, of the ocean, of the Nile, all made subject to us,—of your countless battles, of your incredible victories, of your innumerable monuments and triumphs. But unless this city is now securely settled by your counsels and by your institutions, your name will indeed be talked about very extensively, but your glory will have no secure abode, no sure home in which to repose. There will be also among those who shall be born hereafter, as there has been among us, great disputes, when some with

their praises will extol your exploits to the skies, and others, perhaps, will miss something in them,—and that, too, the most important thing of all,—unless you extinguish the conflagration of civil war by the safety of the country, so that the one shall appear to have been the effect of destiny and the other the work of your own practical wisdom. Have regard, then, to those judges who will judge you many ages afterwards, and who will very likely judge you more honestly than we can. For their judgment will be unbiassed by affection or by ambition, and at the same time it will be untainted by hatred or by envy. And even if it will be incapable of affecting you at that time, (which is the false opinion held by some men,) at all events, it concerns you now to conduct yourself in such a manner that no oblivion shall ever be able to obscure your praises.

X. The inclinations of the citizens have been very diverse, and their opinions much distracted; for we showed our variance, not only by our counsels and desires, but by arms and warlike operations. And there was obscurity in the designs of, and contention between, the most illustrious generals: many doubted which was the best side; many, what was expedient for themselves; many, what was becoming; some even felt uncertain as to what it was in their power to do. The republic has at last come to the end of this miserable and fatal war; that man has been victorious who has not allowed his animosities to be inflamed by good fortune, but who has mitigated them by the goodness of his disposition; and who did not consider all those with whom he was displeased deserving on that account of exile or of death. Arms were laid aside by some, were wrested from the hands of others. He is an ungrateful and an unjust citizen, who, when released from the danger of arms, still retains, as it were, an armed spirit, so that that man is better who fell in battle, who spent his life in the cause. For that which seems obstinacy to some people may appear constancy in others. But now all dissension is crushed by the arms and extinguished by the justice of the conqueror; it only remains for all men for the future to be animated by one wish, all at least who have not only any wisdom at all, but who are at all in their senses. Unless you, O Caius Cæsar, continue safe, and also in the same sentiments as you have displayed on previous occasions, and on this day most eminently, we cannot be safe either,

Wherefore we all—we who wish this constitution and these things around us to be safe—exhort and entreat you to take care of your own life, to consult your own safety; and we all promise to you, (that I may say also on behalf of others what I feel respecting myself,) since you think that there is still something concealed, against which it is necessary to guard,—we promise you, I say, not only our vigilance and our wariness also to assist in those precautions, but we promise to oppose our sides and our bodies as a shield against every danger which can threaten you.

XI. But let my speech end with the same sentiment as it began. We all, O Caius Cæsar, render you the greatest thanks, and we feel even deeper gratitude than we express; for all feel the same thing, as you might have perceived from the entreaties and tears of all. But because it is not necessary for all of them to stand up and say so, they wish it at all events that by me, who am forced in some degree to rise and speak, should be expressed both all that they feel, and all that is becoming, and all that I myself consider due to Marcus Marcellus, who is thus by you restored to this order, and to the Roman people, and to the republic. For I feel that all men are exulting, not in the safety of one individual alone, but in the general safety of all. And as it becomes the greatest possible affection, such as I was always well known by all men to have towards him, so that I scarcely yielded to Caius Marcellus, his most excellent and affectionate brother and certainly to no one except him,—that love for him which I displayed by my solicitude, by my anxiety, and my exertions, as long as there was a doubt of his safety, I certainly ought to display at this present time, now that I am relieved from my great care and distress and misery on his account.

Therefore, O Caius Cæsar, I thank you, as if,—though I have not only been preserved in every sort of manner, but also loaded with distinctions by you,—still, by this action of yours, a crowning kindness of the greatest importance was added to the already innumerable benefits which you have heaped upon me, which I did not before believe were capable of any augmentation,

THE SPEECH OF M. T. CICERO IN DEFENCE OF TITUS ANNIUS MILO.

THE ARGUMENT.

Titus Annius Milo, often in the following speech called only Titus Annius, stood for the consulship while Clodius was a candidate for the prætorship, and daily quarrels took place in the streets between their armed retainers and gladiators. Milo, who was dictator of Lanuvium, his native place, was forced to go thither to appoint some priests, etc.; and Clodius, who had been to Aricia, met him on his road. Milo was in his carriage with his wife, and was accompanied by a numerous retinue, among whom were some gladiators. Clodius was on horseback, with about thirty armed men. The followers of each began to fight, and when the tumult had become general, Clodius was slain, probably by Milo himself. The disturbances at Rome became so formidable that Pompey was created sole consul; and soon after he entered on his office, A.U.C. 702, Milo was brought to trial. This speech, however, though composed by Cicero, was not spoken, for he was so much alarmed by the violence of Clodius's friends, that he did not dare to use the plain language he had proposed. Milo was convicted and banished to Marseilles.

I. **ALTHOUGH** I am afraid, O judges, that it is a base thing for one who is beginning to speak for a very brave man to be alarmed, and though it is far from becoming, when Ti us

Annii Milo himself is more disturbed for the safety of the republic than for his own, that I should not be able to bring to the cause a similar greatness of mind, yet this novel appearance of a new¹ manner of trial alarms my eyes, which, wherever they fall, seek for the former customs of the forum and the ancient practice in trials. For your assembly is not surrounded by a circle of bystanders as usual; we are not attended by our usual company.²

For those guards which you behold in front of all the temples, although they are placed there as a protection against violence, yet they bring no aid to the orator; so that even in the forum and in the court of justice itself, although we are protected with all salutary and necessary defences, yet we cannot be entirely without fear. But if I thought this adverse to Milo, I should yield to the times, O judges, and among such a crowd of armed men, I should think there was no room for an orator. But the wisdom of Cnæus Pompeius, a most wise and just man, strengthens and encourages me; who would certainly neither think it suitable to his justice to deliver that man up to the weapons of the soldiery whom he had given over as an accused person to the decision of the judges, nor suitable to his wisdom to arm the rashness of an excited multitude with public authority.

So that those arms, those centurions, those cohorts, do not announce danger to us, but protection; nor do they expect us only to be calm, but even to be courageous; nor do they promise only assistance to my defence, but also silence. And the rest of the multitude, which consists of citizens, is wholly ours; nor is there any one individual among those whom you see from this place gazing upon us from all sides from which any part of the forum can be seen, and watching the result of this trial, who, while he favours the virtue of Milo, does not think that this day in reality his own interests, those of his children, his country, and his fortunes, are at stake.

II. There is one class adverse and hostile to us,—those

¹ This was an extraordinary trial, held under a new law just passed by Pompey; and it was presided over, not by the prætor, but by Lucius Domitius Ahenobarbus, who was expressly appointed by the comitia president of the judges on this occasion.

² Pompey was present at the trial, surrounded by his officers, and he had filled the forum and all its precincts with armed men, for the sake of keeping the peace.

whom the madness of Publius Clodius has fed on rapine, or conflagration, and on every sort of public disaster ; and who were, even in the assembly held yesterday, exhorted¹ to teach you, by their clamour, what you were to decide. But such shouts, if any reached you, should rather warn you to retain him as a citizen who has always slighted that class of men, and their greatest clamour, in comparison with your safety. Wherefore, be of good courage, O judges, and lay aside your alarm, if indeed you feel any ; for if ever you had to decide about good and brave men, and about citizens who had deserved well of their country, if ever an opportunity was given to chosen men of the most honourable ranks to show by their deeds and resolutions that disposition towards brave and good citizens which they had often declared by their looks and by their words, all that power you now have, when you are to determine whether we who have always been wholly devoted to your authority are to be miserable, and to mourn for ever, or whether, having been long harassed by the most abandoned citizens, we shall at length be reprieved and set up again by you, your loyalty, your virtue, and your wisdom.

For what, O judges, is more full of labour than we both are, what can be either expressed or imagined more full of anxiety and uneasiness than we are, who being induced to devote ourselves to the republic by the hope of the most honourable rewards, yet cannot be free from the fear of the most cruel punishments ? I have always thought indeed that Milo had to encounter the other storms and tempests in these billows of the assemblies because he always espoused the cause of the good against the bad ; but in a court of justice, and in that council in which the most honourable men of all ranks are sitting as judges, I never imagined that Milo's enemies could have any hope of diminishing his glory by the aid of such men, much less of at all injuring his safety.

Although in this cause, O judges, we shall not employ the tribuneship of Titus Annius, and all the exploits which he has performed for the safety of the republic, as topics for our defence against this accusation, unless you see with your own eyes that a plot was laid against Milo by Clodius ; and we shall not entreat you to pardon us this one offence in consi-

¹ Munatius Plancus, the day before, had exhorted the people not to suffer Milo to escape.

deration of our many eminent services to the republic, nor shall we demand, if the death of Publius Clodius was your safety, that on that account you should attribute it rather to the virtue of Milo, than to the good fortune of the Roman people ; but if his plots are made clearer than the day, then indeed I shall entreat, and shall demand of you, O judges, that, if we have lost everything else, this at least may be left us,—namely, the privilege of defending our lives from the audacity and weapons of our enemies with impunity.

III. But before I come to that part of my speech which especially belongs to this trial, it seems necessary to refute those things which have been often said, both in the senate by our enemies, and in the assembly of the people by wicked men, and lately, too, by our prosecutors ; so that when every cause of alarm is removed, you may be able distinctly to see the matter which is the subject of this trial. They say that that man ought no longer to see the light who confesses that another man has been slain by him. In what city, then, are these most foolish men using this argument ? In this one, forsooth, where the first trial for a man's life that took place at all was that of Marcus Horatius, a most brave man, who even before the city was free was yet acquitted by the assembly of the Roman people, though he avowed that his sister had been slain by his hand.

Is there any one who does not know, that when inquiry is made into the slaying of a man, it is usual either altogether to deny that the deed has been done, or else to defend it on the ground that it was rightly and lawfully done ? unless, indeed, you think that Publius Africanus was out of his mind, who, when he was asked in a seditious spirit by Caius Carbo, a tribune of the people, what was his opinion of the death of Tiberius Gracchus, answered that he seemed to have been rightly slain. For neither could Servilius Ahala, that eminent man, nor Publius Nasica, nor Lucius Opimius, nor Caius Marius, nor indeed the senate itself during my consulship, have been accounted anything but wicked, if it was unlawful for wicked citizens to be put to death. And therefore, O judges, it was not without good reason, that even in legendary fables learned men have handed down the story, that he, who for the sake of avenging his father had killed his mother, when the opinions of men varied, was acquitted not

only by the voices of the gods, but even by the very wisest goddess. And if the Twelve Tables have permitted that a nightly robber may be slain any way, but a robber by day if he defends himself, with a weapon, who is there who can think a man to be punished for slaying another, in whatever way he is slain, when he sees that sometimes a sword to kill a man with is put into our hands by the very laws themselves?

IV. But if there be any occasion on which it is proper to slay a man,—and there are many such,—surely that occasion is not only a just one, but even a necessary one, when violence is offered, and can only be repelled by violence. When a military tribune offered violence to a soldier in the army of Caius Marius, the kinsman of that commander was slain by the man whom he was insulting; for the virtuous youth chose to act, though with danger, rather than to suffer infamously; and his illustrious commander acquitted him of all guilt, and treated him well. But what death can be unjust when inflicted on a secret plotter and robber?

What is the meaning of our retinues, what of our swords? Surely it would never be permitted to us to have them if we might never use them. This, therefore, is a law, O judges, not written, but born with us,—which we have not learnt, or received by tradition, or read, but which we have taken and sucked in and imbibed from nature herself; a law which we were not taught, but to which we were made,—which we were not trained in, but which is ingrained in us,—namely, that if our life be in danger from plots, or from open violence, or from the weapons of robbers or enemies, every means of securing our safety is honourable. For laws are silent when arms are raised, and do not expect themselves to be waited for, when he who waits will have to suffer an undeserved penalty before he can exact a merited punishment.

The law very wisely, and in a manner silently, gives a man a right to defend himself, and does not merely forbid a man to be slain, but forbids any one to have a weapon about him with the object of slaying a man; so that, as the object, and not the weapon itself, is made the subject of the inquiry, the man who had used a weapon with the object of defending himself would be decided not to have had his weapon about him with the object of killing a man. Let, then, this principle

be remembered by you in this trial, O judges ; for I do not doubt that I shall make good my defence before you, if you only remember—what you cannot forget—that a plotter against one may be lawfully slain.

V. The next point is one which is often asserted by the enemies of Milo, who say that the senate has decided that the slaughter by which Publius Clodius fell was contrary to the interests of the republic. But, in fact, the senate has approved, not merely by their votes, but even zealously. For how often has that cause been pleaded by us in the senate ? with what great assent of the whole body ? and that no silent nor concealed assent ; for when in a very full senate were there ever four or five men found who did not espouse Milo's cause ? Those lifeless assemblies of this nearly burnt¹ tribune of the people show the fact ; assemblies in which he daily used to try and bring my power into unpopularity, by saying that the senate did not pass its decrees according to what it thought itself, but as I chose.

And if, indeed, that ought to be called power, rather than a moderate influence in a righteous cause on account of great services done to the republic, or some popularity among the good on account of dutiful labours for its sake, let it be called so, as long as we employ it for the safety of the good in opposition to the madness of the wicked.

But this investigation, though it is not an unjust one, yet is not one which the senate thought ought to be ordered ; for there were regular laws and forms of trial for murder, or for assault ; nor did the death of Publius Clodius cause the senate such concern and sorrow that any new process of investigation need have been appointed ; for when the senate had had the power of decreeing a trial in the matter of that impious pollution of which he was guilty taken from it, who can believe it thought it necessary to appoint a new form of trial about his death ? Why then did the senate decide that this burning of the senate-house, this siege laid to the house of M. Lepidus, and this very homicide, had taken place contrary to the in-

¹ After Clodius's death, Munatius Plancus, the tribune, exposed his body on the rostrum, and harangued the people against Milo ; the populace carried the body into the senate-house, and made a pile of the seats to burn it, in doing which they burnt the senate-house, and Plancus himself with difficulty escaped.

terest of the republic? Why, because no violence from one citizen to another can ever take place in a free state which is not contrary to the interests of the republic. For the defending of oneself against violence is never a thing to be wished for; but it is sometimes necessary, unless, indeed, one could say that that day on which Tiberius Gracchus was slain, or that day when Caius was, or the day when the arms of Saturnius were put down, even if they ended as the welfare of the republic demanded, were yet no wound and injury to the republic.

VI. Therefore I myself voted, when it was notorious that a homicide had taken place on the Appian road, not that he who had defended himself had acted in a manner contrary to the interests of the republic; but as there was violence and treachery in the business, I reserved the charge for trial, I expressed my disapprobation of the business. And if the senate had not been hindered by that frantic tribune from executing its wishes, we should not now have this novel trial. For the senate voted that an extraordinary investigation should take place according to the ancient laws. A division took place, it does not signify on whose motion, for it is not necessary to mention the worthlessness of every one, and so the rest of the authority of the senate was destroyed by this corrupt intercession.

"Oh, but Cnæus Pompeius, by his bill, gave his decision both about the fact and about the cause. For he brought in a bill about the homicide which had taken place on the Appian road, in which Publius Clodius was slain." What then did he propose? That an inquiry should be made. What is to be inquired about? Whether it was committed? That is clear. By whom? That is notorious. He saw that a defence as to the law and right could be undertaken, even at the very moment of the confession of the act. But if he had not seen that he who confessed might yet be acquitted, when he saw that we did not confess the fact, he would never have ordered an investigation to take place, nor would he have given you at this trial the power¹ of acquitting as well as that of con-

¹ Literally, "this wholesome letter, as well as that melancholy one." The letter A was the "wholesome" letter, being the initial of *absolvo*, I acquit; the letter C the melancholy one, being the initial of *condemno*, I condemn.

demning. But it seems to me that Cnæus Pompeius not only delivered no decision at all unfavourable to Milo, but that he also pointed out what you ought to turn your attention to in deciding. For he who did not assign a punishment to the confession, but required a defence of it, he clearly thought that what was inquired into was the cause of the death, and not the mere fact of the death. Now he himself shall tell us whether what he did of his own accord was done out of regard for Publius Clodius, or from a compliance with the times.

VII. A most noble man, a bulwark, and in those times, indeed, almost a protector of the senate, the uncle of this our judge, of that most fearless man Marcus Cato, Marcus Drusus, a tribune of the people, was slain in his own house. The people had never any reference made to them in the matter of his death, no investigation was voted by the senate. What great grief was there, as we have heard from our forefathers in this city, when that attack was made by night on Publius Africanus, while sleeping in his own house! Who was there then who did not groan, who did not burn with indignation, that men should not have waited even for the natural and inevitable death of that man whom, if possible, all would have wished to be immortal?

Was there then any extraordinary investigation into the death of Africanus¹ voted? Certainly none. Why so? Because the crime of murder is not different when eminent men, or when obscure ones are slain. Let there be a difference between the dignity of the lives of the highest and lowest citizens. If their death be wrought by wickedness, that must be avenged by the same laws and punishments in either case; unless, indeed, he be more a parricide who murders a father

¹ After the death of Tiberius Gracchus, Publius Æmilianus Africanus Scipio, the conqueror of Carthage and Numantia, was known to be hostile to the agrarian law, and threw every obstacle in the way of it; his enemies gave out that he intended to abrogate it by force. One morning he was found dead in his bed without a wound. The cause and manner of his death were unknown; some said it was natural; some, that he had slain himself; some, that his wife Sempronia, the sister of Gracchus, had strangled him. His slaves, it was said, declared that some strangers had been introduced into the house at the back, who had strangled him, and the triumvir Carbo is generally believed to have been the chief agent in his murder, and is expressly mentioned as the murderer by Cicero, Ep. ad Q. Fr. ii. 3.

of consular rank than he who murders one of low degree ; or, as if the death of Publius Clodius is to be more criminal because he was slain among the monuments of his ancestors,—for this is constantly said by that party ; as if, I suppose, that illustrious Appius Cæcus made that road, not that the nation might have a road to use, but that his own posterity might have a place in which to rob with impunity.

Therefore in that same Appian road, when Publius Clodius had slain a most accomplished Roman knight, Marcus Papius, that crime was not to be punished ; for a nobleman among his own family monuments had slain a Roman knight. Now what tragedies does the name of that same Appian road awaken ? which, though nothing was said about it formerly, when stained with the murder of an honourable and innocent man, is now incessantly mentioned ever since it has been dyed with the blood of a robber and a parricide. But why do I speak of these things ? A slave of Publius Clodius was arrested in the temple of Castor, whom he had placed there to murder Cnæus Pompeius ; the dagger was wrested from his hands and he confessed his design ; after that Pompeius absented himself from the forum, absented himself from the senate, and from all public places ; he defended himself within his own doors and walls, not by the power of the laws and tribunals.

Was any motion made ? was any extraordinary investigation voted ? But if any circumstance, if any man, if any occasion was ever important enough for such a step, certainly all these things were so in the greatest degree in that cause. The assassin had been stationed in the forum, and in the very vestibule of the senate. Death was being prepared for that man on whose life the safety of the senate depended. Moreover, at that crisis of the republic, when, if he alone had died, not only this state, but all the nations in the world would have been ruined,—unless, indeed, the crime was not to be punished because it was not accomplished, just as if the execution of crimes was chastised by the laws, and not the intentions of men,—certainly there was less cause to grieve, as the deed was not accomplished, but certainly not a whit the less cause to punish. How often, O judges, have I myself escaped from the weapons and from the bloody hands of Publius Clodius ! But if my good fortune, or that of the republic, had not

preserved me from them, who would have proposed any investigation into my death.

VIII. But it is foolish of us to dare to compare Drusus, Africanus, Pompeius, or ourselves, with Publius Clodius. All these things were endurable. The death of Publius Clodius no one can bear with equanimity. The senate is in mourning; the knights grieve; the whole state is broken down as if with age; the municipalities are in mourning; the colonies are bowed down; the very fields even regret so beneficent, so useful, so kind-hearted a citizen! That was not the cause, O judges, it was not indeed, why Pompeius thought an investigation ought to be proposed by him; but being a man wise and endowed with lofty and almost divine intellect, he saw many things,—that Clodius was his personal enemy, Milo his intimate friend; he feared that, if he were to rejoice in the common joy of all men, the belief in his reconciliation with Clodius would be weakened. He saw many other things, too, but this most especially,—that in whatever terms of severity he proposed the motion, still you would decide fearlessly. Therefore, he selected the very lights of the most eminent ranks of the state. He did not, indeed, as some are constantly saying, exclude my friends in selecting the tribunal; for neither did that most just man think of this, nor, when he was selecting good men, could he have managed to do so, even had he wished; for my influence would not be limited by my intimacies, which can never be very extensive, because one cannot associate habitually with many people; but, if we have any influence, we have it on this account, because the republic has associated us with the virtuous; and, when he was selecting the most excellent of them, and as he thought that it especially concerned his credit to do so, he was unable to avoid selecting men who were well-disposed towards me.

But as for his especially appointing you, O Lucius Domitius, to preside over this investigation, in that he was seeking nothing except justice, dignity, humanity and good faith. He passed a law that it must be a man of consular dignity, because, I suppose, he considered the duty of the men of the highest rank to resist both the fickleness of the multitude and the rashness of the profligate; and of the men of consular rank he selected you above all; for from your earliest youth

you had given the most striking proofs how you despised the madness of the people.

IX. Wherefore, O judges, that we may at last come to the subject of action and the accusation, if it is neither the case that all avowal of the deed is unprecedented, nor that anything has been determined about our cause by the senate differently to what we could wish; and if the proposer of the law himself, when there was no dispute as to the deed, yet thought that there should be a discussion as to the law; and if the judges had been chosen, and a man appointed to preside over the investigation, to decide these matters justly and wisely; it follows, O judges, that you have now nothing else to inquire into but which plotted against the other; and that you may the more easily discern this, attend carefully, I entreat you, while I briefly explain to you the matter as it occurred.

When Publius Clodius had determined to distress the republic by all sorts of wickedness during his prætorship, and saw that the comitia were so delayed the year before, that he would not be able to continue his prætorship many months, as he had no regard to the degree of honour, as others have, but both wished to avoid having Lucius Paullus, a citizen of singular virtue, for his colleague, and also to have an entire year to mangle the republic; on a sudden he abandoned his own year, and transferred himself to the next year, not from any religious scruple, but that he might have, as he said himself, a full and entire year to act as prætor, that is, to overthrow the republic.

It occurred to him that his prætorship would be crippled and powerless, if Milo was consul; and, moreover, he saw that he was being made consul with the greatest unanimity of the Roman people. He betook himself to his competitors, but in such a manner that he alone managed the whole election, even against their will,—that he supported on his own shoulders, as he used to say, the whole comitia,—he convoked the tribes,—he interposed,—he erected a new Colline tribe by the enrolment of the most worthless of the citizens. In proportion as the one caused greater confusion, so did the other acquire additional power every day. When the fellow, prepared for every atrocity, saw that a most brave man, his greatest enemy, was a most certain consul, and that that was

declared, not only by the conversation of the Roman people, but also by their votes, he began to act openly, and to say without disguise that Milo must be slain.

He had brought down from the Apennines rustic and barbarian slaves, whom you saw, with whom he had ravaged the public woods and Etruria. The matter was not concealed at all. In truth, he used to say undisguisedly that the consulship could not be taken from Milo, but that life could. He often hinted as much in the senate; he said it plainly in the public assembly. Besides, when Favonius, a brave man, asked him what he hoped for by giving way to such madness while Milo was alive? he answered him, that in three, or at most in four days, he would be dead. And this saying of his Favonius immediately reported to Marcus Cato, who is here present.

X. In the meantime, as Clodius knew—and it was not hard to know it—that Milo was forced to take a yearly, legitimate, necessary journey on the twentieth of January to Lanuvium to appoint a priest,¹ because Milo was dictator of Lanuvium, on a sudden he himself left Rome the day before, in order (as was seen by the event) to lay an ambush for Milo in front of his farm; and he departed, so that he was not present at a turbulent assembly in which his madness was greatly missed, and which was held that very day, and from which he never would have been absent, if he had not desired to avail himself of the place and opportunity for a crime.

But Milo, as he had been that day in the senate till it was dismissed, came home, changed his shoes and his garments, waited a little, as men do, while his wife was getting ready, and then started at the time when Clodius might have returned, if, indeed, he had been coming to Rome that day. Clodius meets him unencumbered on horseback, with no carriage, with no baggage, with no Greek companions, as he was used to, without his wife, which was scarcely ever the case; while this plotter, who had taken, forsooth, that journey for the express purpose of murder, was driving with his wife in a carriage, in a heavy travelling cloak, with abundant baggage, and a delicate company of women, and maidservants,

¹ It was the priest of Juno Sospita, who was the patroness of Lanuvium.

and boys. He meets Clodius in front of his farm, about the eleventh hour, or not far from it. Immediately a number of men attack him from the higher ground with missile weapons. The men who are in front kill his driver, and when he had jumped down from his chariot and flung aside his cloak, and while he was defending himself with vigorous courage, the men who were with Clodius drew their swords, and some of them ran back towards his chariot in order to attack Milo from behind, and some, because they thought that he was already slain, began to attack his servants who were behind him; and those of the servants who had presence of mind to defend themselves, and were faithful to their master, were some of them slain, and the others, when they saw a fierce battle taking place around the chariot, and as they were prevented from getting near their master so as to succour him, when they heard Clodius himself proclaim that Milo was slain, and they thought that it was really true, they, the servants of Milo, (I am not speaking for the purpose of shifting the guilt on to the shoulders of others, but I am saying what really occurred,) did, without their master either commanding it, or knowing it, or even being present to see it, what every one would have wished his servants to do in a similar case.

XI. These things were all done, O judges, just as I have related them. The man who laid the plot was defeated; violence was defeated by violence; or, I should rather say, audacity was crushed by valour. I say nothing about what the republic, nothing about what you, nothing about what all good men gained by the result. I do not desire it to be any advantage to me to hear that he was born with such a destiny that he was unable even to save himself, without at the same time saving the republic and all of you. If he had not a right to do so, then I have nothing which I can urge in his defence. But if both reason has taught this lesson to learned men, and necessity to barbarians, and custom to all nations, and nature itself to the beasts, that they are at all times to repel all violence by whatever means they can from their persons, from their liberties, and from their lives, then you cannot decide this action to have been wrong, without deciding at the same time that all men who fall among thieves must perish, either by their weapons, or by your sentence.

And if he had thought that this was the law, it would have been preferable for Milo to offer his throat to Publius Clodius,—which was not attacked by him once only, nor for the first time on that day,—rather than now to be destroyed by you because he did not surrender himself then to be destroyed by him. But if there is no one of you who entertains such an opinion as that, then the question which arises for the consideration of the court is, not whether he was slain or not, which we admit, but whether he was slain legally or illegally, which is an inquiry which has often been instituted in many causes. It is quite plain that a plot was laid; and that is a thing which the senate has decided to be contrary to the laws of the republic. By whom it was laid is a question. And on this point an inquiry has been ordered to be instituted. So the senate has marked its disapproval of the fact, not of the man; and Pompeius has appointed this inquiry into the merits of the case, and not into the fact of its existence.

XII. Does then any other point arise for the decision of the court, except this one,—which laid a plot against the other? None whatever. The case comes before you in this way, that if Milo laid a plot against Clodius, then he is not to be let off with impunity. If Clodius laid it against Milo, then we are acquitted from all guilt.

How then are we to prove that Clodius laid a plot against Milo? It is quite sufficient in the case of such a wicked, of such an audacious monster as that, to prove that he had great reason to do so; that he had great hopes founded on Milo's death; that it would have been of the greatest service to him. Therefore, that maxim of Cassius, to see to whose advantage it was, may well have influence in respect of these persons. For although good men cannot be induced to commit crimes by any advantage whatever, wicked men often can by a very trifling one. And, if Milo were slain, Clodius gained this, not only that he should be prætor without having him for a consul, under whom he would not be able to commit any wickedness, but also that he should have those men for consuls while he was prætor, who, if they did not aid him, would at all events connive at all his proceedings to such an extent that he hoped he should be able to escape detection in all the frantic actions which he was contemplating; as they (so he argued to himself) would not, even if they were able to

do so, be anxious to check his attempts when they considered that they were under such obligations to him ; and on the other hand, if they did wish to do so, perhaps they would hardly be able to crush the audacity of that most wicked man when it got strength by its long continuance. Are you, O judges, the only persons ignorant of all this? Are you living in this city as ignorant of what passes as if you were visitors? Are your ears all abroad, do they keep aloof from all the ordinary topics of conversation of the city, as to what laws (if, indeed, they are to be called laws, and not rather firebrands to destroy the city, pestilences to annihilate the republic) that man was intending to impose upon all of us, to brand on our foreheads? Exhibit, I beg you, Sextus Clodius, produce, I beg, that copy of your laws which they say that you saved from your house, and from the middle of the armed band which threatened you by night, and bore aloft, like another palladium, in order, forsooth, to be able to carry that splendid present, that instrument for discharging the duties of the tribuneship, to some one, if you could obtain his election, who would discharge those duties according to your directions. And * * * [he was going to divide the freedmen among all the tribes, and by his new law to add all the slaves who were going to be emancipated, but who had not yet received their freedom, so that they might vote equally with the free citizens.]¹

Would he have dared to make mention of this law, which Sextus Clodius boasts was devised by him, while Milo was alive, not to say while he was consul? For of all of us—I cannot venture to say all that I was going to say. But do you consider what enormous faults the law itself must have had, when the mere mention of it, for the purpose of finding fault with it, is so offensive. And he looked at me with the expression of countenance which he was in the habit of putting on when he was threatening everybody with every sort of calamity. That light of the senate-house moves me.²

XIII. What? do you suppose, O Sextus, that I am angry with you ; I, whose greatest enemy you have punished with

¹ The passage in brackets is a very doubtful supplement of Beier; which, however, Orellius prefers to any other.

² Cicero here supposes Sextus Clodius to look menacingly at him, in order to check him in his attack on this intended law.

even much greater severity than my humanity could resolve to demand? You cast the bloody carcass of Publius Clodius out of the house, you threw it out into the public street, you left it destitute of all images, of all funeral rites, of all funeral pomp, of all funeral panegyric, half consumed by a lot of miserable logs, to be torn to pieces by the dogs who nightly prowl about the streets. Wherefore, although in so doing you acted most impiously, still you were wreaking all your cruelty on my enemy; though I cannot praise you, I certainly ought not to be angry with you. * * *

[I have demonstrated now, O judges, of what great consequence it was to Clodius] that Milo should be slain. Now turn your attention to Milo. What advantage could it be to Milo that Clodius should be slain? What reason was there why Milo, I will not say should do such an action, but should even wish for his death? Oh, Clodius was an obstacle to Milo's hope of obtaining the consulship. But he was obtaining it in spite of him. Ay, I might rather say he was obtaining it all the more because Clodius was opposing him; nor in fact was I a more efficient support to him than Clodius was. The recollection, O judges, of the services which Milo had done to me and to the republic had weight with you. My entreaties and my tears, with which I perceived at that time that you were greatly moved, had weight with you; but still more weight had your own fear of the dangers which were impending. For who of the citizens was there who could turn his eyes to the unrestrained prætorship of Publius Clodius, without feeling the greatest dread of a revolution? and unrestrained you saw that it would be unless you had a consul who had both courage and power to restrain him; and as the whole Roman people saw that Milo alone was that man, who could hesitate by his vote to release himself from fear, and the republic from danger?

But now, now that Clodius is removed, Milo has got to labour by more ordinary practices to preserve his dignity. That preeminent glory, which was then attributed to him alone, and which was daily increasing in consequence of his efforts to repress the frenzy of Clodius, has been put an end to by the death of Clodius. You have gained your object of being no longer afraid of any one of the citizens; he has lost that incessant arena for his valour, that which procured him

votes for the consulship, that ceaseless and ever-springing mountain of his glory. Therefore, Milo's canvass for the consulship, which could not be hindered from prospering while Clodius was alive, now, the moment that he is dead, is attempted to be checked. So that the death of Clodius is not only no advantage, but is even a positive injury to Milo.

"Oh, but his hatred prevailed with him; he slew him in a passion; he slew him because he was his enemy; he acted as the avenger of his own injury; he was exacting atonement to appease his private indignation." But what will you say if these feelings, I do not say existed in a greater degree in Clodius than in Milo, but if they existed in the greatest possible degree in the former, and not at all in the latter? What will you require beyond that? For why should Milo have hated Clodius, the material and ground-work of his glory, except as far as that hatred becoming a citizen goes, with which we hate all worthless men? There was plenty of reason for Clodius to hate Milo, first, as the defender of my safety; secondly, as the repressor of his frenzy, the defeator of his arms; and lastly, also, as his prosecutor. For Clodius was liable to the prosecution of Milo, according to the provisions of the Plotian law, as long as he lived. And with what feelings do you suppose that that tyrant bore that? how great do you suppose was his hatred towards him? and, indeed, how reasonable a hatred was it for a wicked man to entertain.

XIV. It remains for me now to urge his natural disposition and his habits of life in the defence of the one, and the very same things as an accusation against the other. Clodius, I suppose, had never done anything by violence; Milo had done everything by violence. What then shall I say, O judges? When, amid the grief of all of you, I departed from the city, was I afraid of the result of a trial? was I not afraid of slaves, and arms and violence? What, I pray you, was the first ground of my restoration, except that I had been unjustly driven out? Clodius, I suppose, had commenced a formal prosecution against me; he had named a sum as damages; he had commenced an action for high treason; and, I suppose too, I had cause to fear your decision in a cause which was an unjust one, which was my own private cause, not one which was a most righteous one, and which was, in reality, *your* cause, and not mine? No—I was

unwilling that my fellow-citizens, who had been saved by my prudence and by my own personal danger, should be exposed to the arms of slaves and needy citizens and convicted malefactors. For I saw—I saw, I say, this very Quintus Hortensius, the light and ornament of the republic, almost slain by the hand of slaves, while he was standing by me. In which crowd Caius Vibienus, a senator, a most excellent man, who was with Hortensius, was so maltreated that he lost his life.

When, then, was it that that assassin's dagger of his, which he had received from Catiline, rested? It was aimed at us; I would not allow you all to be exposed to it for my sake. It was prepared in treachery for Pompeius. It stained with blood, through the murder of Papirius, the very Appian road, the monument of his name; this, this same dagger, after a long interval was again turned against me; lately, as you know, it nearly murdered me close to the palace of Ancus.

What is there of Milo's conduct like all this? when all the violence that he has ever displayed has amounted to this, that he wished to prevent Publius Clodius (as he could not be brought to trial) from oppressing the city by violence. And if he wished to put him to death, what great, what repeated, and what splendid opportunities he had of doing so! Might he not have avenged himself without violating the law when he was defending his own house and his household gods from his attacks? might he not have done so when that illustrious citizen and most gallant man, Publius Sextius, his own colleague, was wounded? might he not have done so when that most excellent man, Quintus Fabricius, while carrying a bill for my restoration, was driven away, and when a most cruel slaughter was taking place in the forum? might he not have done so when the house of Lucius Cæcilius, that most upright and fearless prætor, was attacked? might he not have done so on the day on which the law concerning me was passed, and when that vast concourse of people from all parts of Italy, whom a regard for my safety had roused up, would have gladly recognised and adopted as its own the glory of that action? so that, even if Milo had performed it, the whole state would claim the praise of it as belonging to itself?

XV. And what a time was it? A most illustrious and fearless consul, Publius Lentulus, an enemy to Clodius the

avenger of his wickedness, the bulwark of the senate, the defender of your inclinations, the patron of that general unanimity, the restorer of my safety; seven prætors, eight tribunes of the people, adversaries of him, defenders of me; Cnæus Pompeius, the prime mover of and chief agent in my return his open enemy; whose opinion respecting my return, delivered in the most dignified and most complimentary language, the whole senate adopted; he who exhorted the whole Roman people, and, when he passed a decree concerning me at Capua, gave himself the signal to all Italy, which was eager for it, and which was imploring his good faith, to join together for the purpose of restoring me to Rome; in short, universal hatred on the part of all the citizens, was excited against him, while their minds were inflamed with as earnest a regret for me; so that if any one had slain him at that time, people's thoughts would have been, not how to procure impunity for such a man, but how to reward him sufficiently.

Nevertheless, Milo restrained himself, and twice summoned Publius Clodius before the court, but never once invited him to a trial of strength in scenes of violence. What do I say? while Milo was a private individual, and on his trial before the people, on the accusation of Publius Clodius, when an attack was made on Cnæus Pompeius, while speaking in defence of Milo, was there not then not only an admirable opportunity of, but even a reasonable pretext for slaying him? And lately, when Marcus Antonius had inspired all virtuous men with the very greatest hope of safety, and when he, being a most noble young man, had with the greatest gallantry espoused the cause of the republic, and had that beast almost in his toils in spite of his avoiding the snares of the law; what an opportunity, what a time and place was there, O ye immortal gods! And when Clodius had fled and hidden himself in the darkness of the stairs, there was a fine opportunity for Milo to slay him without incurring the slightest odium himself, and to load Antonius at the same time with the greatest glory! What? How repeatedly had he a similar chance in the comitia! when he had broken into the voting booth, and contrived to have swords drawn and stones thrown, and then on a sudden, terrified at the look of Milo, fled towards the Tiber, and you and all virtuous men prayed to heaven that Milo might take it into his head to give full scope to his valour.

XVI. If then he did not choose to slay him, when he might have done so with the gratitude of every one, is it likely that he should have chosen to do so when some people were sure to complain of it? If he did not venture to do it when he might have done so lawfully, when he had both place and time in his favour, when he might have done so with impunity, can we believe that he did not hesitate to slay him unjustly at a time and place which supplied him with no excuse for the deed, when it was at the hazard of his life? especially, O judges, when the day of contest for the greatest distinction of the state, and the day of the comitia, was at hand. At which time, (for I know what a nervous thing ambition is, how vehement and how anxious is the desire for the consulship,) we are afraid of everything, not only of those things which can be openly found fault with, but even of whatever can be secretly thought; we shudder at every rumour, at every idle and empty story; we look anxiously at every one's countenance, at every one's eye. For there is nothing so soft, so tender, so frail, so flexible, as the inclinations and feelings of our fellow-citizens towards us; for they are not only angry at any impropriety in the conduct of candidates, but they often even take a disgust at our virtuous actions.

Did Milo then, keeping in view this long hoped-for and wished-for day of the Campus Martius, propose to himself to come to those venerable auspices of the centuries with bloody hands, owning and confessing a wickedness and a crime? How perfectly incredible is such conduct in such a man! At the same time, how undoubted is it in the case of Clodius, who thought that he should be a king as soon as Milo was slain. What shall I say more? This is the very main-spring of audacity, O judges, for who is there who does not know that the greatest temptation of all to do wrong is the hope of impunity? Now, in which of the two did this exist? In Milo? who is even now on his trial for an action which I contend was an illustrious one, but which was at all events a necessary one; or in Clodius? who had shown such contempt for courts of justice and punishment, that he took no pleasure in anything which was not either impious, from its disregard of the prohibitions of nature, or illegal, from its violation of law.

But what am I arguing about? why do I keep on disputing at greater length? I appeal to you, O Quintus Petillius, a most virtuous and fearless citizen; I call you to witness, O Marcus Cato; whom some heavenly interposition has given me for judges. You have heard from Marcus Favonius, and you heard it too while Clodius was alive, that he, Clodius, had said to him that Milo would die within three days,—and on the third day the deed which he had mentioned was put in execution. When he did not hesitate to reveal what he was thinking of, can you have any doubt what he did?

XVII. How then was it, that he was so correct in the day? I told you that just now. There was no great difficulty in knowing the regular days of sacrifice for the dictator of Lanuvium. He saw that it was necessary for Milo to go to Lanuvium on the very day in which he did go,—therefore, he anticipated him. But on what day? Why, on the day on which, as I have said before, there was a most furious assembly of the people, stirred up by the tribune of the people whom he had in his pay—a day, and an assembly, and an uproar which he would never have missed if he had not been hastening to some premeditated crime. Therefore, he had not only no reason for going on a journey, but he had even a reason for stopping at home. Milo had no possibility of stopping at home, and he had not only a reason, but a positive necessity for going on a journey. What more? Suppose, while he knew that Milo must go on the road on that day, so, on the other hand, Milo could not even suspect that Clodius would? For, first of all, I ask, how could Milo know it? a question which you cannot ask respecting Clodius. For even if he had not asked any one beyond his own intimate friend Titus Patina, he could have ascertained from him that on that particular day a priest must absolutely be appointed at Lanuvium by Milo as the dictator there. But there were plenty more people from whom he could easily learn that; for instance, all the people of Lanuvium. Of whom did Milo make any inquiry about the return of Clodius? Grant that he did make inquiry; see what large allowances I am making you: grant even that he bribed his slave, as my good friend Quintus Arrius said.—Read the evidence of your own witnesses.

Caius Cassinius Schola, a man of Interamna, gave his evidence,—a most intimate friend of Publius Clodius, and

more, a companion of his at the very time ; according to whose testimony, Publius Clodius was at Interamna and at Rome at the very same time. Well, he said, that Publius Clodius had intended to remain that day at his Alban villa ; but that on a sudden news was brought to him, that Cyrus his architect was dead ; and, therefore, that he determined to proceed to Rome immediately. Caius Clodius, who was also a companion of Publius Clodius, said the same.

XVIII. Take notice, O judges, what the real effect of this evidence must be. First of all, Milo is certainly acquitted of having set out with the express intention of waylaying Clodius on his road ; this must be, since there was apparently no chance whatever of his meeting him. In the next place, (for I see no reason why I should not do something for myself at the same time,) you know, O judges, that there have been men found to say, while urging on this bill against Milo, that the murder was committed by the hand indeed of Milo, but by the plan of some one of more importance than he. Those abject and profligate men, forsooth, pointed me out as a robber and assassin. Now they lie convicted by their own witnesses, who say that Clodius would not have returned to Rome that day if he had not heard the news about Cyrus. I breathed again ; I was delivered ; I am not any longer afraid of being supposed to have contemplated an action which I could not possibly have suspected.

Now I will examine the other point. For this expression occurs in their speech : " Therefore, Clodius never even thought of the plot against Milo, since he intended to remain in his Alban villa." Yes, he meant to remain there, if he did not rather intend to go out and commit a murder. For I see that the messenger who is said to have brought him news of Cyrus's death did not announce that to him, but told him that Milo was at hand. For why should he bring any news about Cyrus, whom Clodius had left at Rome on his death-bed ? I was with him ; I signed his will as a witness together with Clodius ; and he had openly made his will, and had left him and me his heirs. When he had left him the day before, at the third hour, at the very point of death, was news sent express to him the next day, at the tenth hour, that he was at last dead ?

XIX. Well, be it so ; what reason had he for hastening to

Rome? for starting at nightfall? Why should the fact of his being his heir cause him to make so much haste? In the first place, there was no reason why there should be need of any haste; secondly, even if there was, still what was there which he could obtain that night, but which he would lose if he arrived at Rome early the next morning? And as an arrival in the city by night was rather to be avoided by him than to be desired, so it was just suited for Milo to lie in ambush and wait for him, as he was a plotter of that sort, if he knew that he was likely to come to the city by night. He would have slain him by night, in a place calculated for an ambush and full of robbers; no one would have refused to believe him if he denied it, when now all men wish to save him even when he confesses it. The brunt of the blame would have fallen on the place itself, so well suited to receive and conceal robbers, while neither the voiceless solitude would have informed against, nor the dark night discovered Milo; secondly, the numbers of men who had been insulted by Clodius, or plundered by him, or stripped of all their property by him, many, too, who were in constant fear of such misfortunes, would have fallen under suspicion; in short, the whole of Etruria would have been impeached in people's opinion.

And certainly on that day Clodius returning from Aricia did turn aside to his Alban villa. But although Milo knew that he was at Aricia, still he ought to have suspected that he, even if he was desirous to return to Rome that day, would turn aside to his own villa, the grounds of which skirted the road. Why, then, did he not meet him before, and prevent his going to his villa? nor wait in that place where he would certainly arrive by night?

I see that all things up to this point are plain and consistent. That it was even desirable for Milo that Clodius should live; that for Clodius the death of Milo was the most advantageous thing possible, with reference to those objects on which he had set his heart; that he bore him the most bitter hatred, but that Milo had no such feelings towards him; that the one lived in a perpetual round of violence, that the other's habits were limited to repelling it; that Milo had been threatened by him with death, and that his death had been openly predicted by him; that no such expression had ever been heard from Milo; that the day of Milo's journey was

well known to Clodius, but that Clodius's return was unknown to Milo ; that the journey of the one was inevitable, and that of the other was even inconvenient to himself ; that the one had openly declared that on that day he should set out from Rome, that the other had concealed the fact of his intending to return on that day ; that the one had in no respect whatever changed his intention, that the other had invented a false pretence for changing his mind ; that the one, if he were plotting, would naturally wish night to come on when he was near the city, while an arrival at the city by night was to be feared by the other, even if he had no apprehension of danger from this man.

XX. Let us now consider this, which is the main point of all ; for which of the two the identical spot where they did meet was the best suited for planting an ambush. But is that, O judges, a matter about which one can possibly doubt or think seriously for a moment ? In front of Clodius's farm,—that farm on which, on account of those absurd erections and excavations for foundations of his, there were pretty well a thousand vigorous men employed,—on that high and raised ground belonging to his adversary, did Milo think that he should get the better in the contest, and had he with that view selected that spot above all others ? Or was he rather waited for in that place by a man who had conceived the idea of attacking, because of the hopes that that particular spot suggested to him ? The facts, O judges, speak for themselves ; facts, which are always of the greatest weight in a cause. If you were not hearing of this transaction, but were looking at a picture of it, still it would be quite visible which of the two was the plotter, which was thinking no evil, when one of the two was driving in a chariot wrapped up in a mantle, with his wife sitting by his side. It is hard to say which was the greatest hindrance to him, his dress, or his carriage, or his wife. How could a man be less ready for battle than when he was entangled in a mantle as in a net, hampered with a carriage, and fettered as it were by his wife clinging to him ? Look, on the other hand, at Clodius, first setting out from his villa ; all on a sudden : why ? It was evening. Why was he forced to set out at such a time ? Going slowly. What was the object of that, especially at that time of night ? He turns aside to the villa of Pompeius. To see Pompeius ? He knew

that he was near Alsium. To see the villa? He had been in it a thousand times. What, then, was his object? Delay; he wanted to waste the time. He did not choose to leave the spot till Milo arrived.

XXI. Come now, compare the journey of this unencumbered bandit with all the hindrances which beset Milo. Before this time he always used to travel with his wife; now he was without her. He invariably went in a carriage; now he was on horseback. His train were a lot of Greeklings wherever he was going; even when he was hastening to the camp in Etruria;¹ but this time there were no triflers in his retinue. Milo, who was never in the habit of doing so, did by chance have with him some musical slaves belonging to his wife, and troops of maid-servants. The other man, who was always carrying with him prostitutes, worn-out debauchees both men and women, this time had no one with him except such a band that you might have thought every one of them picked men. Why, then, was he defeated? Because the traveller is not always murdered by the robber; sometimes the robber is killed by the traveller; because, although Clodius in a state of perfect preparation was attacking men wholly unprepared, still it was the case of a woman falling upon men. And, indeed, Milo was never so utterly unprepared for his violence, as not to be nearly sufficiently prepared. He was always aware how greatly it concerned the interest of Publius Clodius that he should be slain, how greatly he hated him, and how great was his daring. Wherefore, he never exposed his life to danger without some sort of protection and guard, knowing that it was threatened, and that a large price, as it were, was set upon it.

Add to this consideration all the chances; add the always uncertain result of a battle, and the common fortune of Mars, who often overthrows the man who is already exulting and stripping his enemy, and strikes him to the ground by some mean agent; add the blundering conduct of a leader who had dined and drank, and who was yawning and drowsy; who, when he had left his enemy cut off in the rear, never thought of his companions on the outskirts of his train; and then when he fell among them inflamed with anger, and

¹ That is, to Manlius's camp in Etruria at the time of Catiline's conspiracy in which, in all probability, Clodius was implicated.

despairing of saving the life of their master, he fell on that punishment which the faithful slaves inflicted on him as a retribution for their master's death. Why, then, has Milo emancipated them? He was afraid, I suppose, lest they should give information against him; lest they should be unable to bear pain; lest they should be compelled by tortures to confess that Publius Clodius was slain in the Appian road by the slaves of Milo.

What need is there of any torturer? What do you want to know? whether he was slain? He was slain. Whether he was slain lawfully or unlawfully? That is beyond the province of the torturer. For the rack can only inquire into the fact; it is the bench of judges that must decide on the law.

XXII. Let us then here confine our attention to what must be investigated in this trial. All that you can want to find out by tortures we admit. But if you prefer asking why he emancipated his slaves, rather than why he gave them inadequate rewards, you are but a bungling hand at finding fault with an enemy. For Marcus Cato, who says everything with great wisdom, and consistency, and courage, said the same thing; and he said, too, in a very turbulent assembly of the people, which, however, was pacified by his authority, that those slaves were worthy not only of liberty, but even of every sort of reward possible, who had defended the life of their master. For what reward can be sufficiently great for such well-affected, such virtuous, such faithful slaves, owing to whom it is that he is still alive? Although even that is not putting it so strongly as to say, that it is owing to those very men that he did not glut the eyes and mind of his most cruel enemy with his blood and wounds. And if he had not emancipated them, then those preservers of their master, those avengers of wickedness, those defenders of their master from death, must have even been surrendered to torture. But in all these misfortunes the most comfortable reflection which Milo has is, that, even if anything should happen to himself, still he has given them the reward which they deserved.

But now the examinations which have just been conducted in the hall of liberty, are said to press against Milo. Who are the slaves who have been examined? Do you ask? The slaves of Publius Clodius. Who demanded that they should

be examined? Appius. Who produced them? Appius. Where were they brought from? From the house of Appius. O ye good gods, what can be done with more animosity? There is no law which authorizes slaves to be examined as witnesses against their master, except on accusations of impiety, as was the case in the prosecution instituted against Clodius. Clodius has been raised nearly to the gods, more nearly than even when he penetrated into their sanctuary, when an investigation into the circumstances of his death is carried on like one into a profanation of sacred ceremonies. But still, our ancestors did not think it right that slaves should be examined as witnesses against their masters, not because the truth could not be discovered, but because it seemed a scandalous thing to do, and more oppressive to the masters than even death itself. Well, then, when the slaves of the prosecutor are examined as witnesses against the defendant, can the truth be found out?

Come, however, what was the examination; and how was it conducted? Holloa, you Rufio, (that name will do as well as another,) take care you tell the truth. Did Clodius lay a plot against Milo? "He did." He is sure to be crucified for saying so. "Certainly not." He has hopes of obtaining his liberty. What can be more certain than this mode of examination? The men are suddenly carried off to be examined; they are separated from all the rest, and put into cells that no one may be able to speak to them. Then, when they have been kept a hundred days in the power of the prosecutor, they are produced as witnesses by the prosecutor himself. What can be imagined more upright than this sort of examination? What can be more free from all suspicion of corruption?

XXIII. And if you do not yet see with sufficient clearness, (though the transaction is evident of itself by so many and such irresistible arguments and proofs,) that Milo was returning to Rome with a pure and guiltless intention, with no taint of wickedness, under no apprehension, without any consciousness of crime to disquiet him; recollect, I implore you, in the name of the immortal gods, how rapid his speed while returning was; how he entered the forum while the senate-house was all on fire with eagerness; how great was the magnanimity which he displayed; how he looked, and

what he said. Nor did he trust himself to the people only, but also to the senate; nor to the senate only, but also to the public guards and their arms; nor to them only, but also to the power of that man to whom the senate had already entrusted¹ the whole republic, all the youth of Italy, and all the arms of the Roman people. And surely he never would have put himself in his power, if he had not been confident in the justice of his cause; especially as he was one who heard everything, and feared great danger, and suspected many things, and even believed some. The power of conscience is very great, O judges, and is of great weight on both sides: so that they fear nothing who have done no wrong, and they, on the other hand, who have done wrong think that punishment is always hanging over them.

Nor, indeed, is it without good reason that Milo's cause has always been approved of by the senate. For these wisest of men took into their consideration the whole circumstances of the case; Milo's presence of mind, and vigour in defending himself. Have you forgotten, O judges, when the news of Clodius's death was still recent, the opinions and the language which was held, not only by Milo's enemies, but also by other ignorant people? They said that he would not return to Rome at all. For if he had committed the deed in a passionate and excited mood, so that he had slain his enemy while under the influence of strong hatred, they thought that he would consider the death of Publius Clodius an event of such importance, that he would bear being deprived of his country with equanimity, as he had sated his hatred in the

¹ The disturbances on the death of Clodius arose to such a height, that the senate at last passed a resolution that Marcus Lepidus the Interrex, assisted by the tribunes of the people and Pompeius, should take care that the republic received no injury. And at last the senate appointed Pompeius consul without a colleague, who immediately published several new laws, and among them the one under which this trial was conducted, (see note on c. 1.) and he now limited the duration of trials, allowing only three days for the examination of witnesses, and on the fourth day the accuser was only allowed two hours to enforce the accusation, and the defendant three hours to speak in his defence. Cælius endeavoured to arrest these laws by his veto as tribune, declaring that they were framed solely with a view to crush Milo, whom Pompeius certainly desired to get rid of; to effect which he even descended to the artifice of pretending to believe that Milo had laid a plot to assassinate him.

blood of his enemy; or, if he had deliberately intended to deliver his country by the slaughter of Clodius, then they thought that he, as a brave man, would not hesitate, after having brought safety to his country at his own risk, to submit with equanimity to the laws, to carry off with himself everlasting renown, and to leave those things to us to enjoy which he had preserved for us himself.

Many also spoke of Catiline and the monsters of his train. "We shall have another Catiline breaking out. He will occupy some strong place; he will make war on his country." Wretched sometimes is the fate of those citizens who have faithfully served the republic! when men not only forget the illustrious exploits which they have performed, but even suspect them of the most nefarious designs! Therefore, all those things were false, which would certainly have turned out true if Milo had committed any action which he could not defend with honour and with truth.

XXIV. What shall I say of the charges which were afterwards heaped upon him? which would have crushed any one who was conscious of even trifling offences. How nobly did he support them! O ye immortal gods, do I say support them? Say rather, how did he despise them, and treat them as nothing! Charges which no guilty man, were he ever so high-minded, and, indeed, no innocent man, unless he were also a most fearless man, could possibly have disregarded. It was said that a vast collection of shields, swords, bridles, lances, and javelins had been seized. They said that there was no street, no alley in the whole city, in which there was not a house hired for Milo; that arms had been carried down the Tiber to his villa at Oriculum; that his house on the Capitoline Hill was full of shields; that every place was full of firebrands prepared for the burning of the city. These things were not only reported, but were almost believed, and were not rejected till they had been thoroughly investigated. I praised, indeed, the incredible diligence of Cnæus Pompeius; but still I will say what I really think, O judges.

Those men are compelled to listen to too many statements; indeed, they cannot do otherwise, who have the whole republic entrusted to them. It was necessary even to listen to that eating-house keeper Licinius, if that was his name, a fellow out of the Circus Maximus, who said that Milo's slaves had

got drunk in his house,—that they had confessed to him that they were engaged in a conspiracy to assassinate Cnæus Pompeius, and that he himself was afterwards stabbed by one of them to prevent him from giving information. He went to Pompeius's villa to tell him this. I am sent for among the first. By the advice of his friends, Pompeius reports the affair to the senate. It was impossible for me to be otherwise than frightened almost to death at the bare suspicion of such danger to one who was the protector both of me and of my country; but still I wondered that an eating-house keeper should be at once believed,—that the confession of the slaves should be listened to, and that a wound in the side, which looked like the prick of a needle, should be admitted to be a wound inflicted by a gladiator. But, as I take the fact to have been, Pompeius was rather taking precautions than feeling any actual alarm, guarding not only against those things which it was reasonable to fear, but also against everything which could possibly disquiet you.

The house of Caius Cæsar, that most illustrious and gallant man, was besieged, as was reported, during many hours of the night. No one in that frequented part of the city had either seen or heard of any such thing. Still such a report was spread about. I could not possibly suspect Cnæus Pompeius, a man of the most admirable valour, of being timid; and I thought no diligence could be over-strained in a man who had undertaken the management and protection of the whole of the republic. In a very full meeting of the senate, lately held in the Capitol, a senator was found to say that Milo had a weapon about him. He threw back his garments in that most sacred temple, that, since the life of so good a citizen and so good a man could not procure him credit, the facts themselves might speak for him, while he held his peace.

XXV. Every word was ascertained to be a false and treacherous invention. And if people are even now afraid of Milo, we are not now under apprehension because of the charge respecting Clodius, but we are shuddering at your suspicions,—at yours, I say, O Cnæus Pompeius, (for I address you yourself, and I speak loudly so that you may be able to hear me.) If you are afraid of Milo,—if you believe that he either now cherishes wicked designs against your life, or that

he ever has entertained such; if the levying of troops throughout Italy, as some of your recruiting-sergeants pretend,—if these arms,—if these cohorts in the Capitol,—if these watchmen, these sentinels,—if this picked body of youths, which is the guard of your person and your house, is all armed against an attack on the part of Milo; and if all these measures have been arranged, and prepared, and aimed against him alone,—then certainly he must be a man of great power, of incredible courage; surely it must be more than the power and resources of one single man which are attributed to him, if the most eminent of our generals is invested with a command, and all Italy is armed against this one man. But who is there who does not understand that all the diseased and feeble parts of the republic were entrusted to you, O Pompeius, that you might heal and strengthen them with your arms? And if an opportunity had been afforded to Milo, he would, doubtless, have proved to you yourself that no man was ever more dear to another than you are to him; that he had never shunned any danger which might be of service in promoting your dignity; that he had often contended against that most foul pest on behalf of your glory; that his conduct in his tribuneship had been entirely regulated by your counsels for the protection of my safety, which was an object very dear to you; that he afterwards had been defended by you when in danger of his life,¹ and had been assisted by you when he was a candidate for the prætorship; and that he had always believed that the two firmest friends whom he had were you and I,—you, as shown by the kindness of your behaviour to him, and I, secured to him by the services which he himself had done me. And if he could not convince you of this,—if that suspicion had sunk so deep in your mind that it could not possibly be eradicated; if, in short, Italy was never to have any rest from those levies, nor the city from arms, till Milo was ruined,—then no doubt he, without hesitation, would have departed from his country,

¹ When Clodius was ædile, he instituted a prosecution against Milo for violence. Pompeius, Crassus and Cicero appeared for him; and though Clodius's mob raised a great uproar, and endeavoured to prevent Pompeius from being heard, he made a long speech, lasting three hours, in his defence. The trial was adjourned from February till May, and does not appear to have ever been brought to a regular termination.

a man born to make such sacrifices and accustomed to make them; but still he would have cited you, O Magnus, as a witness in his favour, as he now does.

XXVI. See, now, how various and changeable is the course of human life,—how fickle and full of revolutions is fortune; what instances of perfidy are seen in friends, how they dissemble and suit their behaviour to the occasion; when dangers beset one, how one's nearest connexions fly off, and what cowardice they show. The time will come, ay, will most certainly come,—that day will surely dawn some time or other, when you, though your affairs are all, as I trust they will be, in a really sound condition, though they may, perhaps, wear an altered appearance in consequence of some commotion of the times, such as we are all liable to, (and how constantly such things happen we may know from experience,)—when you, I say, may be in need of the good-will of one who is most deeply attached to you, and the good faith of a man of the greatest weight and dignity, and the magnanimity of the very bravest man that ever lived in the world. Although, who would believe that Cnæus Pompeius, a man most thoroughly versed in public law, in the usages of our ancestors, and in all the affairs of the republic, after the senate has entrusted to him the charge of taking care “that the republic suffered no injury,” by which one line the consuls have always been sufficiently armed, even though no warlike weapons were given to them,—that he, I say, after having had an army and a levy of troops given to him, would wait for a legal decision to repress the designs of that man who was seeking by violence to abolish the courts of justice themselves?

It was sufficiently decided by Pompeius, quite sufficiently, that all those charges were falsely brought against Milo; when he passed a law by which, as I conceive, he was bound to be acquitted by you,—at all events, as all men allow, might legally be acquitted. But when he sits in that place, surrounded by all those bands of public guards, he declares plainly enough that he is not striking terror into you, (for what could be less worthy of him than to condemn a man whom he himself might punish if guilty, both by his own authority and in strict accordance with the precedents of our ancestors?) but that he keeps them about him for the sake of

protection; that you may be aware that it is allowed to you to decide with freedom according to your own opinions, in contradiction to that assembly of the people which was held yesterday.

XXVII. Nor, O judges, am I at all moved by the accusation respecting Clodius. Nor am I so insane, and so ignorant of, and inexperienced in, your feelings, as not to be aware what your opinions are about the death of Clodius, concerning which, if I were unwilling to do away with the accusation in the manner in which I have done away with it, still I assert that it would have been lawful for Milo to proclaim openly, with a false but glorious boast, "I have slain, I have slain, not Spurius Mælius, who fell under the suspicion of aiming at kingly power by lowering the price of corn, and by squandering his own family estate, because by that conduct he was thought to be paying too much court to the common people; not Tiberius Gracchus, who, out of a seditious spirit, abrogated the magistracy of his own colleague; whose slayers have filled the whole world with the renown of their name; but him" (for he would venture to name him when he had delivered his country at his own risk) "who was detected in the most infamous adultery in the most sacred shrine, by most noble women; him, by the execution of whom the senate has repeatedly resolved that solemn religious observances required to be propitiated; him whom Lucius Lucullus, when he was examined on the point, declared on his oath that he had detected in committing unhallowed incest with his own sister; him, who by means of armed bands of slaves drove from his country that citizen whom the senate, whom the Roman people, whom all nations had declared to be the saviour of the city and of the lives of all the citizens; him, who gave kingdoms, took them away, and distributed the whole world to whomsoever he pleased; him who, after having committed numberless murders in the forum, drove a citizen of the most extraordinary virtue and glory to his own house by violence and by arms; him, to whom nothing was ever too impious to be done, whether it was a deed of atrocity or of lust; him, who burnt the temple of the nymphs, in order to extinguish the public record of the census which was committed to the public registers; lastly, him who acknowledged no law, no civil

rights, no boundaries to any man's possessions,—who sought to obtain other people's estates, not by actions at law and false accusations, not by unjust claims and false oaths, but by camps, by an army, by regular standards and all the pomp of war,—who, by means of arms and soldiers, endeavoured to drive from their possessions, not only the Etrurians, for he thoroughly despised them, but even this Publius Varius, that most gallant man and most virtuous citizen, one of our judges,—who went into many other people's villas and grounds with architects and surveyors, who limited his hopes of acquiring possessions by Janiculum and the Alps; him who, when he was unable to prevail on an estimable and gallant Roman knight, Marcus Paconius, to sell him his villa on the Prelian Lake, suddenly conveyed timber, and lime, and mortar, and tools in barques to the island, and while the owner of the island was looking at him from the opposite bank, did not hesitate to build a house on another man's land; who said to Titus Furfanius—O ye immortal gods, what a man! (for why should I mention that insignificant woman, Scantia, or that youth Aponius, both of whom he threatened with death if they did not abandon to him the possession of their villas?) but he dared to say to Furfanius, that if he did not give him as much money as he demanded, he would carry a dead body into his house, and so raise a storm of unpopularity against him; who turned his brother Appius, a man connected with me by the most faithful friendship, while he was absent, out of the possession of his farm; who determined to run a wall across the vestibule of his sister's house in such a manner, and to draw the line of foundation in such a direction, as not only to deprive his sister of her vestibule, but of all access to her house, and of her own threshold."

XXVIII. Although all these things appeared such as might be endured,—although he attacked with equal fury the republic, and private individuals, and men who were at a distance, and men who were near, people who had no connexion with him, and his own relations; yet somehow or other the incredible endurance of the state had by long use grown hardened and callous. But as for the things which were at hand, and were impending over you, in what manner was it possible for you either to avert them or to bear them? If he had once obtained real power,—I say nothing of our allies,

of foreign nations, and kings, and tetrarchs; for you would have prayed that he might turn himself against them rather than against your possessions, your houses, and your money: money do I say? your children rather,—I solemnly swear he would never have restrained himself from your children and from your wives. Do you think that these things are inventions of mine? They are evident; they are notorious to every one; they are proved. Is it an invention of mine that he was about to enlist an army of slaves in the city, by whose instrumentality he might take possession of the whole republic, and of the private fortune of every one?

Wherefore, if Titus Annius, holding in his hand a bloody sword, had cried out, "Come hither, I beg of you, and listen to me, O citizens: I have slain Publius Clodius; with this sword and with this right hand I have turned aside from your necks the frenzied attacks of that man whom we were unable to restrain by any laws, or by any judicial proceedings whatever; by my single efforts has it been brought to pass that right, and equity, and laws, and liberty, and modesty, and chastity remain in this city;" would there in truth have been any reason to fear in what manner the city would receive this announcement? For now, as it is, who is there who does not approve of what has been done? who does not praise it? who does not both say and feel that of all men to whom recollection can reach back, Titus Annius has done the republic the greatest service; that of all men he has diffused the greatest joy among the Roman people, and over the whole of Italy, and throughout all nations? I cannot form a conception of what would have been the old-fashioned joy of the Roman people. Already our age has seen many, and those most illustrious victories, won by consummate generals; but not one of them has brought with it a joy that either lasted so long or that was so excessive while it did last.

Commit this fact to memory, O judges. I trust that you and your children will see many happy days in the republic. On every such occasion these will always be your feelings,—that if Publius Clodius had been alive, you never would have seen one of them. We have been led now to conceive the greatest, and, as I feel sure, the best-founded hopes, that this very day, this most admirable man being made our consul, when the licentiousness of men is checked, their evil passions

put down, the laws and courts of justice reestablished on a firm footing, will be a salutary day for the republic. Is there, then, any one so insane as to think that he could have obtained all this while Publius Clodius was alive? What? why, what power of perpetual possession could you have had even in those things which you possess as your private property and in the strictest sense your own, while that frenzied man held the reins of government?

XXIX. I have no fear, O judges, lest it should seem that, because I am inflamed with hatred against him, on account of my own personal enmity to the man, I am vomiting forth these charges against him with more zeal than truth. In truth, though it is natural that that should be an especial stimulus to me, yet he was so completely the common enemy of all men, that my own hatred only bore about its fair proportion to the general detestation with which he was regarded. It cannot be expressed, O judges, it cannot even be imagined, how much wickedness, how much mischief there was in that man.

Moreover, attend to me with this idea, O judges. This investigation relates to the death of Publius Clodius. Imagine in your minds,—for our thoughts are free, and contemplate whatever they choose in such a manner that we do discern those things which we think we see;—place, therefore, before your mind's eye the image of this my condition; if I am able to induce you to acquit Milo, but still only on condition of Publius Clodius being restored to life. What fear is that that you show by your countenances? . How would he affect you if alive, when even now that he is dead he has so agitated you by the bare thought of him? What? if Cnæus Pompeius himself, who is a man of such virtue and such good fortune that he has at all times been able to do things which no one except him ever could have done,—if even he, I say, had been able, in the same manner as he has ordered an investigation into the death of Publius Clodius to take place, so also to raise him from the dead, which do you think he would have preferred to do? Even if out of friendship he had been willing to raise him from the shades below, out of regard for the republic he would not have done it. You, then, are sitting now as avengers of the death of that man, whom you would not restore to life if you thought it possible that his life could be restored by you. And this investiga-

tion is appointed to be made into the death of a man who would never have seen such a law passed, if the law which ordered the inquiry had been able to restore him to life. Ought, then, the slayer of this man, if any such slayer there be, to have any reason, while confessing the deed, to fear punishment at the hand of those men whom he delivered by the deed?

Grecian nations give the honours of the gods to those men who have slain tyrants. What have I not seen at Athens? what in the other cities of Greece? What divine honours have I not seen paid to such men? What odes, what songs have I not heard in their praise? They are almost consecrated to immortality in the memories and worship of men. And will you not only abstain from conferring any honours on the saviour of so great a people, and the avenger of such enormous wickedness, but will you even allow him to be borne off for punishment? He would confess,—I say, if he had done it, he would confess with a high and willing spirit that he had done it for the sake of the general liberty; a thing which would certainly deserve not only to be confessed by him, but even to be boasted of.

XXX. In truth, if he does not deny an action from which he seeks no advantage beyond being pardoned for having done it, would he hesitate to avow an action for which he would be entitled to claim rewards? Unless indeed he thinks it more pleasing to you to look upon him as having been the defender of his own life, rather than of you; especially as from that confession, if you were to choose to be grateful, he would reap the very highest honours. If his action were not approved of by you, (although, how is it possible that any one should not approve of what secured his own safety?)—but still, if the virtue of a most gallant man had happened to be at all displeasing to his fellow-citizens, then with a lofty and firm mind he would depart from an ungrateful city. For what could be more ungrateful than for all other men to be rejoicing, and for him alone to be mourning, to whom it was owing that the rest were rejoicing? Although we have all at all times been of this disposition with respect to crushing traitors to our country,—that since the glory would be ours, we should consider the danger and the unpopularity ours also. For what praise should I have deserved to have given to me,

when I showed so much courage in my consulship on behalf of you and of your children, if I had supposed that I could venture on the exploits which I was attempting without very great struggles and dangers to myself? What woman is there who would not dare to slay a wicked and mischievous citizen, if she was not afraid of the danger of the attempt? But the man who, though unpopularity, and death, and punishment are before his eyes, still ventures to defend the republic with no less alacrity than if no such evils threatened him, he deserves to be considered really a man.

It behoves a grateful people to reward those citizens who have deserved well of the republic; it is the part of a brave man, not to be so moved even by execution itself, as to repent of having acted bravely. Wherefore, Titus Annius may well make the same confession which Ahala made, which Nasica, which Opimius, which Marius, which we ourselves have made: and then, if the republic were grateful, he would rejoice; if ungrateful, then, though under the pressure of heavy misfortune, he would still be supported by his own conscience.

But, O judges, the fortune of the Roman people, and your felicity, and the immortal gods, all think that they are entitled to your gratitude for this service which has been thus done to you. Nor, indeed, can any one think otherwise except it be a man who thinks that there is no such thing at all as any divine power or authority—a man who is neither moved by the vastness of your empire, nor by that sun above us, nor by the motions of heaven and of the stars, nor by the vicissitudes and regular order of things, nor (and that is the greatest thing of all) by the wisdom of our ancestors; who both themselves cultivated with the most holy reverence the sacred rites and religious ceremonies and auspices, and also handed them down to us their posterity to be so cultivated by us.

XXXI. There is, there is indeed, such a heavenly power. It is not the truth, that in these bodies and in this feebleness of ours there is something which is vigorous and endued with feeling, and nothing which is so in this vast and beautiful movement of nature. Unless perhaps some people think that there is no such thing in existence because it is not apparent, nor visible: just as if we were able to see our own mind,—that by which we are wise, by which we have foresight, by

which we do and say these very things which we are doing and saying ; or as if we could plainly feel what sort of thing it is, or where it is. That divine power, that very same divine power which has often brought incredible prosperity and power to this city, has extinguished and destroyed this mischief ; by first of all inspiring it with the idea of venturing to irritate by violence and to attack with the sword the bravest of men, and so leading it on to be defeated by the man whom if it had only been able to defeat it would have enjoyed endless licence and impunity. That result was brought about, O judges, not by human wisdom, nor even by any moderate degree of care on the part of the immortal gods. In truth, those very holy places themselves which beheld that monster fall, appear to have been moved themselves, and to have asserted their rights over him.

I implore you, I call you to witness,—you, I say, O ye Alban hills and groves, and you, O ye altars of the Albans, now overthrown, but nevertheless partners of and equals in honour with the sacred rites of the Roman people,—ye, whom that man with headlong insanity, having cut down and destroyed the most holy groves, had overwhelmed with his insane masses of buildings ; it was your power then that prevailed, it was the divinity of your altars, the religious reverence due to you, and which he had profaned by every sort of wickedness, that prevailed ; and you, too, O sacred Jupiter of Latium, whose lakes and groves and boundaries he had constantly polluted with every sort of abominable wickedness and debauchery, you at last, from your high and holy mountain, opened your eyes for the purpose of punishing him ; it is to you, to all of you, that those punishments, late indeed, but still just and well deserved, have been made an atonement for his wickedness.

Unless, perchance, we are to say that it was by accident that it happened that it was before the very shrine of the Good Goddess which is in the farm of Titus Sextus Gallius, a most honourable and accomplished young man,—before the Good Goddess herself, I say, that when he had begun the battle, he received that first wound under which he gave up that foul soul of his ; so that he did not seem to have been acquitted in that iniquitous trial, but only to have been reserved for this conspicuous punishment.

XXXII. Nor, indeed, did that same anger of the gods abstain from inflicting the very same insanity on his satellites, so that without the images of his ancestors, without any funeral song or funeral games, without any obsequies, any lamentation, or any panegyric,—without, in short, any funeral at all, smeared over with gore and mud, and deprived even of the honours which are paid to every one on that last day, and which even enemies are wont to allow to a man, he was cast out in the street half burnt. It was not right, I suppose, for the effigies of most illustrious men to confer any honour on that most foul parricide; nor was there any place in which it was more seemly that his corpse should be ill-treated than that where his life had been condemned.

I swear to you, the fortune of the Roman people appeared to me hard and cruel, while it for so many years beheld and endured that man triumphing over the republic. He had polluted the holiest religious observances with his debauchery; he had broken the most authoritative decrees of the senate; he had openly bought himself from the judges with money; he had harassed the senate in his tribuneship; he had rescinded acts which had been passed for the sake of the safety of the republic, by the consent of all orders of the state; he had driven me from my country; he had plundered my property; he had burnt my house; he had ill-treated my children and my wife; he had declared a wicked war against Cnæus Pompeius; he had made slaughter of magistrates and private individuals; he had burnt the house of my brother; he had laid waste Etruria; he had driven numbers of men from their homes and their professions. He kept pursuing and oppressing men; the whole state, all Italy, all the provinces, all foreign kingdoms could not contain his frenzy. Laws were already being drawn up in his house which were to hand us over to the power of our slaves. There was nothing belonging to any one, which he had taken a fancy to, which he did not think would become his in the course of this year. No one was an obstacle to his expectations except Milo; the very man who was most able to be an obstacle to them he thought when he returned again would be reconciled and, as it were, bound to him. The power of Caesar, he said, was all his own. The inclinations of all good men he had treated with

contempt, while accomplishing my ruin. Milo alone weighed on his mind.

XXXIII. On this the immortal gods, as I have said before, put into the head of that abandoned and frantic man the idea of laying an ambush for Milo. That pest was not to perish any other way; the republic would never have chastened him by her laws. The senate, I suppose, would have been able to restrain him when prætor. Why, it had not been able to do anything when it tried to restrain him while a private individual. Would the consuls have been vigorous in bridling the prætor? In the first place, if Milo had been slain, he would have had his own consuls. Secondly, what consul would have behaved fearlessly against him as prætor, who remembered that he, when tribune, had offered the most cruel injuries to the virtue of the consuls? He would have oppressed everything; he would have taken possession and held possession of everything. By a new law, the draught of which was found in his house, with the rest of the Clodian laws, he would have made all our slaves his own freedmen. Lastly, if the immortal gods had not inspired him with such ideas that he, an effeminate creature, attempted to slay a most gallant man, you would have no republic at all this day. Would that man when prætor, much more when consul, provided only that these temples and these walls could have stood so long if he had been alive, and could have remained till his consulship; would he, I say, if alive, have done no harm, when even after he was dead he burned the senate-house, one of his satellites, Sextus Clodius, being the ringleader in the tumult? What more miserable, more grievous, more bitter sight have we ever seen than that? that that temple of sanctity, of honour, of wisdom, of the public council, the head of the city, the altar of the allies, the harbour of all nations, the abode granted by the universal Roman people to one of the orders of the state, should be burnt, profaned, and destroyed?¹ and that that should be done, not by

¹ When Clodius was killed, his slaves fled, and left his dead body in the road; and it was brought to Rome the next day by Sextus Tedi-
us, a senator, who was passing by and saw it; and then it was exposed to the view of the populace of the city. The next day the mob, headed by Sextus Clodius, carried the body naked, so as to show his wounds, into the forum, and placed it on the rostra; and then the tribunes harangued the people on the subject, and wrought them up to such a pitch of

an ignorant mob, although that would have been a miserable thing, but by one single person? who, if he dared so much in his character of burner of a dead man, what would he not have done as standard-bearer of a living one? He selected the senate-house, of all the places in the city, to throw him down in, in order that when dead he might burn what he had overturned while alive.

And are there men, then, who complain of what took place in the Appian road, and say nothing of what happened in the senate-house? and who think that the forum could have been defended from him when alive, whose very corpse the senate-house was unable to resist? Arouse the man himself; resuscitate him, if you can, from the shades below. Will you be able to check his violence when alive, when you were hardly able to support his fury while he lies unburied? unless, indeed, you did support the sight of those men who ran with firebrands to the senate-house, with scythes to the temple of Castor, and who ranged over the whole forum sword in hand. You saw the Roman people slaughtered, you saw the assembly disturbed by the drawn swords, while Marcus Cœlius, a tribune of the people, was listened to in silence, a man of the greatest courage in the affairs of state, of the greatest firmness in any cause which he undertook, wholly devoted to the service of the virtuous part of the citizens, and to the authority of the senate, and in this—shall I say unpopularity, or misfortune of Milo's? behaving with singular, and god-like, and incredible good faith.

XXXIV. But I have said enough about the cause; and, perhaps, too much that was foreign to the cause. What remains, except for me to pray and entreat you, O judges, to show that mercy to a most gallant man, which he himself does not implore; but which I, even against his will, implore and demand in his behalf? Do not, if amid the tears of all of us you have seen no tears shed by Milo,—if you see his countenance always the same, his voice and language steady and unaltered.—do not, on that account, be the less inclined to spare him. I know not whether he does not deserve to be assisted all the more on that account. In truth, if in the excitement, that, snatching up the body, they carried it into the senate-house, and tearing up the benches and tables, dressed up a funeral pile on the spot, and, together with the body, burnt the senate-house itself, with the Basilica Porcia which joined it,

battles of gladiators, and in the case of men of the very lowest class and condition and fortune, we are accustomed to dislike those who are timid and suppliant, and who pray to be allowed to live, and if we wish to save those who are brave and courageous, and who offer themselves cheerfully to death; and if we feel more pity for those men who do not ask our pity, than for those who entreat it; how much more ought we to nourish those feelings in the case of our bravest citizens? As for me, O judges, I am dispirited and almost killed by those expressions of Milo, which I hear continually, and at the utterance of which I am daily present: "May my fellow-citizens fare well," says he; "may they fare well. May they be safe, and prosperous, and happy; may this illustrious city, and my country, which I love so well, long endure, however it may treat me; may my fellow-citizens (since I may not enjoy it with them) enjoy the republic in tranquillity without me, but still in consequence of my conduct. I will submit, and depart; if it cannot be allowed me to enjoy a virtuous republic, at least I shall be at a distance from a bad one; and the first well regulated and free city that I arrive at, in that will I rest. Oh how vain," says he, "are the labours which I have undertaken! Oh how fallacious have been my hopes! Oh how empty all my thoughts! When as tribune of the people, when the republic was oppressed, I had devoted myself to the senate, which, when I came into office, was utterly extinct; and to the Roman knights, whose power was enfeebled, and to the virtuous part of the citizens, who had given up all their authority under the arms of Clodius; could I ever have thought that I should fail to find protection from the citizens? When I had restored you" (for he very frequently converses with me and addresses me) "to your country, could I ever suppose that I myself should have no place in my country? Where now is the senate which we followed? where are those Roman knights, those knights," says he, "so devoted to you? where is the zeal of the municipal towns? where is the voice of Italy? what, above all, has become of that voice of yours, O Marcus Tullius, which has been an assistance to many; what has become of your voice and defensive eloquence? am I the only person whom it is unable to help, I who have so often exposed myself to death for your sake?"

XXXV. Nor does he say these things to me, O judges, weeping, as I now repeat them ; but with the same unmoved countenance that you behold. For he says, he never did all the things which he had done for citizens who are ungrateful ; ungrateful, he says, they are not. That they are timid, and thinking too much of every danger, he does not deny. He says, that he treated the common people, and that multitude of the lower class which, while they had Publius Clodius for their leader, threatened the safety of all of you, in such a way, in order to render all your lives more secure ; that he not only subdued it by his virtue, but won it over at the expense of three estates which he inherited. Nor has he any apprehension that, while he was conciliating the common people by his liberality, he was not also securing your attachment by his singular services to the republic. He says, that the goodwill of the senate towards him has been repeatedly experienced by him in the times that have lately gone by ; and that he shall carry with him, and ever retain in his recollection, the way in which you and all your order flocked to meet him, the zeal you showed in his behalf, and the kindness of your language to him, whatever may be the destiny which fortune allots to him. He remembers, also, that the voice of the crier, proclaiming his triumph, was the only thing wanting to him ; but that he was declared consul by the unanimous vote of the people, and that was the great object of his ambition. And now if all these things are to go against him, it will be only the suspicion of guilt, not the reality of any crime which has injured him. He adds this, which is unquestionably true ; that brave and wise men are not in the habit of setting their hearts so much on the rewards for virtuous conduct, as on the fact of their conduct being so ; that he has never acted throughout his life in any but the most honourable manner, since there can be nothing better for a man to do than to deliver his country from dangers ; that those men are happy for whom such conduct procures honour among their fellow-citizens, but yet, that those men are not miserable who have exceeded their fellow-citizens in good deeds. Moreover, that of all the rewards of virtue, if one is to make an estimate of the different rewards, the most honourable of all is glory ; that this is the only reward which can make amends for the shortness of life, by the recollection of posterity ; which can cause us

while absent to be present, when dead to be still alive ; that this is the thing by the steps of which men appear to mount even to heaven.

"Concerning me," says he, "the Roman people and all nations will be continually talking. The remotest ages will never be silent about me. Even at this very time when the firebrands of envy are being hurled against me by my enemies, still I am celebrated in every company of men, who express their thanks to me, who congratulate themselves on my conduct, who make me the sole topic of their conversation. I say nothing of the days of festival, and sacrifice, and joyful celebration in Etruria. This is the hundredth, or I rather think the hundred and first day since the death of Publius Clodius ; a day on which, wherever the boundaries of the Roman empire extend, there did not only the report of, but the joy caused by that occurrence penetrate. Wherefore," said he, "I am not anxious as to where this body of mine may be ; since the glory of my name already is and always will be in every country upon earth."

XXXVI. This is what you have constantly said to me, O Milo, when these men who hear me now have been absent ; but this is what I say to you when they are present to listen. I cannot, indeed, praise you sufficiently for being of such a spirit as you are ; but the more godlike that virtue of yours is, the greater is the pain which I feel at being separated from you. Nor, indeed, if you are taken from me, will the complaints, which are all that is left to me, do anything to comfort me, or to prevent my being angry with those men from whom I have received so severe a blow. For it is not my enemies who will tear you from me, but those who are my greatest friends. It is not men who have at times deserved ill at my hands, but those who have always deserved exceedingly well. You never, O judges, will inflict such grief upon me, (although, what grief can be so great as this?) but you will never inflict this particular grief upon me, of forcing me to forget how greatly you have always regarded me. And if you, yourselves, have forgotten it, or if any part of my conduct has offended you, why do you not make me atone for that offence rather than Milo ? For I shall have lived gloriously-enough if I die before seeing any such great misfortune happen to him.

At present one consolation supports me, that no exertion that affection, or that zeal, or that gratitude could possibly make, has been wanting on my part to promote your interest, O Titus Annius. For your sake I have courted the enmity of powerful citizens; I have repeatedly exposed my person and my life to the weapons of your enemies; I have thrown myself as a suppliant at the feet of many for your sake; I have considered my fortunes and those of my children as united with yours in the time of your necessities. Lastly, on this very day, if any violence is prepared against you, or any struggle, or any danger of death, I claim my share in that. What remains now? What is there that I can say, or that I can do in return for your services to me, except considering whatever fortune is yours mine also? I do not object, I do not refuse so to consider it. And I entreat you, O judges, either to add to the kindnesses which you have already conferred on me by granting me this man's safety, or else to take notice that they will all perish in his fall.

XXXVII. These tears of mine have no effect on Milo. He is of an incredible strength of mind. He thinks that any place where there is no room for virtue is a place of banishment; and death he considers the end appointed by nature, and not a punishment. Let him continue to cherish these ideas in which he was born. What will you think yourselves, O judges? What will be your feelings? Will you preserve the recollection of Milo, and drive away the man himself? And will you allow any place in the whole earth to be more worthy to receive this virtue of his than this place which produced him? You, you, I appeal to you, O you brave men, who have shed much of your blood for the sake of the republic. I appeal to you, O centurions, and to you, O soldiers, in this time of danger to a brave man and an invincible citizen. While you are not only looking on, but armed, and standing as guards around this court of justice, shall this mighty virtue be driven from the city, be banished, be cast out?

Oh, miserable man that I am! Oh, unhappy man that I am! Were you, O Milo, able through the instrumentality of these men to recal me to my country, and cannot I through the agency of the very same men even retain you in yours? What answer shall I make to my children, who consider you

a second father? What answer shall I make to you, O my brother Quintus, you who are now absent, you who were my companion in that cruel time? Shall I reply, that I was unable to preserve the safety of Milo by the instrumentality of those very men by whose means he had preserved mine? And what is the cause in which I shall have failed to do so? One which is sanctioned by all the nations of the earth. From whom must I say that I failed to procure it? From those very men who of all others have gained the greatest tranquillity by the death of Publius Clodius. And who will it be who has entreated in vain? I. What great wickedness is it that I planned, what enormous crime did I commit, O judges, when I traced out, and laid open, and revealed, and for ever crushed those beginnings and signs of the general destruction that was intended? For that is the spring from which all the distresses of myself and my friends arise. Why did you wish me to return to my country? Was it in order that I might look on while those men were being driven out, by whose efforts I had been restored? Do not, I entreat you, suffer my return to be more miserable than even my departure was. For how can I think that I have been restored if I am torn from those men by whom I was restored?

XXXVIII. Would that the immortal gods had granted, (I must entreat your permission to say it, O my country, for I fear lest it should be a wicked wish as far as you are concerned, though it may be a pious one for Milo,)—would that they had granted that Publius Clodius should not only be alive, but should even be prætor, consul, dictator, rather than I should see this sight! O ye immortal gods, before I should see this brave man, this man who deserves to be saved by you, O judges, in this plight! “Say not so, say not so,” says Milo. “Rather let him have suffered the penalty which he deserved, and let us, if so it must be, suffer what we have not deserved.”

Shall this man, born for his country, die in any other land except his country? or, as it may perchance turn out, for his country? Will you preserve the monuments of this man's courage, and yet allow no sepulchre containing his body to exist in Italy? Will any one by his vote banish this man from this city, when all other cities will gladly invite him to them if he is driven out from among you? O happy

will that land be which shall receive him! Ungrateful will this land be if it banishes him; miserable if it loses him.

However, I must make an end. Nor, indeed, can I speak any longer for weeping; and this man forbids me to defend him by tears. I pray and entreat you, O judges, when you are giving your votes, to dare to decide as you think just. And believe me that man¹ will be sure greatly to approve of your virtue, and justice, and good faith; who, in selecting the judges, selected all the best, and wisest, and most fearless men whom he could find.²

¹ Cnæus Pompeius.

² Milo, as has been said before, was convicted by a majority of thirty-eight to thirteen, though Cato voted openly for his acquittal. He went into exile to Marseilles. Some years afterwards, A.U.C. 706, Cælius, when prætor, recalled him from banishment, and endeavoured to raise some public commotion in favour of Pompey, between whom and Cæsar (who was in his second consulship) the civil war was just breaking out. But he and Cælius were both killed by the soldiers with whom they were tarrying.

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